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**THE SUBSTANCE**  
OF  
**A SPEECH**

OF

**SIR JOHN COX HIPPISEY, BART.**

*In the House of Commons,*

On **TUESDAY, MAY 11, 1813,**

FOR THE

**APPOINTMENT OF A SELECT COMMITTEE ON THE SUBJECT**

OF

**The Catholic Claims ;**

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*WITH NOTES, AND AN APPENDIX*

CONTAINING THE

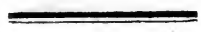
**PONTIFICAL RESCRIPTS**

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— OF —  
H. J. SCHROEDER, O.

**P. CLEMENT XIV. and P. PIUS VII.**

**RESPECTING THE ABOLITION AND RESTORATION OF THE ORDER OF  
JESUITS:**



**London:**

**PUBLISHED BY MURRAY, ALBEMARLE STREET ; RODWELL, BOND STREET ;  
HATCHARD, STOCKDALE, AND RIDGWAY, PICCADILLY ;  
AND RICHARDSON, CORNHILL.**

**1815.**

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**J. Brettell, Printer, Rupert Street,  
Haymarket, London.**

OF

## ADVERTISEMENT.

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London, May 23, 1815.

**T**HE substance of the following pages is little more than a transcript of the original Reports, given in vol. xxvi of *Hansard's Parliamentary Debates*:—the principal typographical errors are corrected, and particularly a line of the MS. restored, which omission, in the numerical statement,\* of the original Report, had confused the sense of a passage relating to an important fact:—with these, and a few other trifling corrections—some additional notes (distinguished between[ ]), and an Appendix of Documents, the Report is now given in the detached form which was originally intended.

The motion of Sir Henry Parnell, which has occasioned the call of the House, on the 30th instant, has supplied an additional motive for this republication. It will be recollected that the brilliant and powerful talents of a Right Hon. Gentleman, whose memorable Resolution was adopted by the House, in the preceding Session of Parliament, were afterwards, not less successfully, employed in defeating the motion, which is the subject of the present report;—but, as the same Right Hon. Gentleman, at the commencement of the ensuing Sessions, pledged his

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\* Page 25, after line 16, *Hansard's Parliamentary Debates*.

cordial support of the same motion, if revived; it must be inferred that his prior opposition to it had not resulted from any intrinsic objectionable matter in the motion itself, but had been influenced by other considerations:—the chief of which, indeed, he candidly avowed, was a persuasion that if the motion for a Select Committee had been carried, it might have been fatal to Mr. Grattan's Bill (at least for that Session), and, consequently, to his own supplementary Clauses which had been engrafted on that Bill. Sir J. H.'s Motion for a Select Committee, though supported by 189 Members, was negatived by a majority of 48;—and, in the following week, the first Clause of Mr. Grattan's Bill being also rejected, the Bill itself was withdrawn.

Since that period many important transactions, connected, more or less, with the general subject, have taken place. The Letter, or *Rescript*, for such it must be considered, of Mon<sup>gr</sup>. Quarantotti, when the chief organ of the Pontifical Government, has been communicated to His Majesty's Ministers, under such circumstances, as have authorised its official production, and it has been printed by order of the House of Commons.\* The Bull of *P. Pius VII.* for

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\* It is to be regretted that, in addition to the valuable documents supplied by Sir Charles Stuart, when accredited to the Court of *Lisbon*, and which, in part, have also been printed, by order of the House, [*Official Papers relating to R. Catholics, No. I.*]*—*the interesting information, subsequently transmitted by His Majesty's Ministers at the Courts of *Palermo**—*the *Brazils**—**Stockholm* and *Munich*, is not yet rendered equally accessible.



the restoration of the Order of Jesuits has also appeared ;—Mr. Plowden has given it to the Public in the Appendix of a second voluminous Letter, addressed to Sir John Hippisley, printed at Paris, styling it, “ The Constitution, by which the Society of Jesus is re-established, in its ancient State, throughout the entire Christian World.” Great animadversion has been bestowed on Sir J. H. by Mr. Plowden, for having raised any question affecting the Society, thus revived :—He is left in the full enjoyment of his imaginary triumph, while the following pages will supply his omission of the Brief, or Rescript of *P. Clement XIV.* which, properly, should accompany the Bull of the reigning Pontiff. It will then be for Mr. Plowden to consider,—after he has exhausted his censure upon *Mon<sup>sr</sup>. Quarantotti*, and those who are the advocates of *qualified* concession—whether he can advantageously take the field against the memorable Rescript of *Ganganelli*, and enter the lists with the living writers, *of his own communion*, who espouse that deliberate pontifical Act,—for it does not appear that the denunciation pronounced by the Bull of *Pius VII.* has extinguished the ardour of the opponents of the Constitution, which he has so solemnly re-embodied. Two publications on the subject have issued from the French Press, since the date of this Bull, namely, “ *Du Pape et des Jésuites*,” and “ *Les Jésuites tels qu’ils ont été dans l’Ordre politique, religieux, et moral.*” —The first is ascribed to the pen of a

“ *Père de l’Oratoire* ;” the other, announced as the work of “ *M. S\*\*\*, Ancien Magistrat.*” A perusal of these Tracts, and especially the “ *Brief of Clement XIV. Pius VI.*” will lead to the discovery, whether the Society have been most successfully attacked or defended, by the French writers, or by Mr. Plowden.\*

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\* In combating the Rescript of *Clement XIV.* it will be well that Mr. Plowden should recollect that he is not opposed to a solitary impugner of his favourite order, but also to a most formidable array of other highly venerated Pontiffs. He is distinctly told, on the authority of the Rescript, that Urban VII. Clement IX. X. XI. XII. Alexander VII. VIII. Innocent X. XI. XII. XIII. and Benedict XIV. in addition to Pius IV. V. and Sextus V. employed, “ without effect, their efforts to restore the peace of the Church ;” in reference to the disturbances arising from the Order of Jesuits ; and also of “ the infinity of appeals and protests against “ the Society, which so many Sovereigns had laid at the foot of “ the Pontifical Throne :—of the undue interference in secular “ affairs, and of the use and application of certain maxims, proscribed as scandalous, and manifestly contrary to good morals, &c.” [Vide *Brief*, P. *Clement XIV.*] Whether these charges have been substantiated, is not the present object to inquire ; they must rest upon the authority which adduced them. No disposition is manifested, in the following pages, to give ear to unfounded imputation, but the cursory observations on the measures of the Ex-Jesuits, subjects of His Majesty, were dictated wholly by prudential considerations, not less friendly to them, than to the general interests of the public.

The Rescript of *Clement XIV.* is properly a *Brief*, being signed by the Pope, and under the seal of the “ *Fisherman.*” This distinction will be observed at the conclusion of the two documents, and, consequently, the translation of the Rescript of *Clement XIV.* as copied in the Appendix, is erroneously entitled.

In speaking of recent publications, connected with the question of ecclesiastical jurisdiction, it would be little excusable to omit noticing a Tract,\* which has been published within a few days, by Mr. Brown, of the Inner Temple;—few publications have stronger claims to the attention of those, whose province it is to decide, with reference to the Claims of the Catholics, what parliamentary course will be most consistent with a sound and liberal policy, and with the strong claims of the establishment. “Whenever this great measure shall be adopted”—(again to advert to the impressive words of a noble Baron—*Frenville* and they cannot be too often repeated)—“let it “not be one of hasty or inconsiderate adoption, on “which the pressure of the times shall stamp the “character of weakness;—consider with what measures it ought to be accompanied—what course of “policy is necessary to render its benefits effectual— “what safeguards its adoption may require.”

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\* An Historical Inquiry into the ancient ecclesiastical jurisdiction of the Crown, by J. B. Brown, Esq. of the Inner Temple, sold by *Underwood*, 32, Fleet Street.

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\*\* The Letters of Sir J. C. Hippisley to the Earl of Fingall, and his former Speeches on the subject of the Claims of the Catholics, may be had of the publishers of this work:

In speaking of recent publications, connected with  
 the question of ecclesiastical jurisdiction, it would be  
 little excessive to say, noticing a tract, which has  
 been published within a few days by Mr. Brown,  
 the name of which is "The jurisdiction of the Pope  
 claims to the exclusion of those whose practice it is  
 to differ, with respect to the rights of the Pope  
 his that certain writers, contrary to the more usual  
 fact with a view and liberal policy, read with  
 along claims of the Catholic Church, which  
 the great measure shall be a subject of inquiry  
 about to the primitive words of a noble historian  
 and that cannot be the effect of the same."  
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 which the purpose of the times shall stand the  
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 since it ought to be accompanied—what course  
 policy is necessary to render the practice effectual  
 what advantage the adoption may require.

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An historical inquiry into the ancient ecclesiastical  
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SUBSTANCE  
OF  
**T H E S P E E C H**

OF  
**SIR J. C. HIPPISELY, BART.**

ON THE APPOINTMENT OF A SELECT COMMITTEE ON THE SUBJECT OF  
THE CATHOLIC CLAIMS.

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HOUSE OF COMMONS,—*Tuesday, May 11, 1813.*

**MOTION** FOR A SELECT COMMITTEE ON THE STATE OF THE LAWS AFFECTING THE ROMAN CATHOLICS.] In pursuance of his notice, Sir *John Cox Hippisley* rose and addressed the House as follows :

Before I proceed, Sir, upon the notice, which I sometime since gave for this day, I would ask my right hon. friend, the member for Dublin, whether he wishes to have it understood, that the House should also enter upon the discussion of the order, which, on his motion, stands among the orders of the day?—if such be his intention, I think I have some cause to complain, as my notice was given anterior to that order. The notice, I am aware, is entitled to precedence; but, nevertheless, if it be not understood that the order should stand over till tomorrow, some impatience may probably be excited, little suited to that deliberate discussion, to which, I conceive, the object of my notice has some pretension.

[Mr. *Grattan* rose and intimated that he did not think himself warranted to move the postponement of the discussion of the order, as so many other gentlemen were anxious it should not be delayed—but that the House would be regulated probably by circumstances, according to the time which might be occupied in the discussion of the motion for the Select Committee.]

Sir *J. C. Hippisley*.—From the answer of my right hon. friend, I fear I can promise myself but little of his assistance in acquitting the task I have undertaken; and I am persuaded that it will be received with still less indulgence by many, with whom I have been accustomed to act, on former occasions, when the subject, upon which my present motion so materially bears, has been before the House. I am naturally led to this painful anticipation from the questions put to me, and the observations made, since I entered the House, by many of those gentlemen:—to institute any inquiry is now considered, by them, as wantonly opposing obstacles to those concessions which, accompanied with due regulation, I contend that I am not less disposed to support, than my right hon. friend. I must however, Sir, remind those who are now so strenuous in resisting investigation, and regard this great question as on the eve of being probably carried by the physical force of numbers—for so confident are they of their strength,—I must remind them, I repeat, of the uniformity and consistency of the course I have pursued in reference to this question, whenever it has been agitated, from the period of the motion of Mr. Fox in 1805, and on all the successive motions of my right hon. friend, the member for Dublin;—whenever I have pressed my opinions on the House, or given publicity to them elsewhere, I must claim the admission that I have invariably contended for the qualification of concession, by restriction and regulation, urging also, as indispensable, the most deliberate investigation of the grounds on which those concessions should be granted. In the early debates on this subject, I certainly did consider that such an investigation might have taken place in a committee of the whole House; but after the collision of opinions which was excited in consequence of the discussion in 1808, on the motion of my right hon. friend, and principally among the Catholics themselves, in reference to those provisions which I ever considered as constituting an indispensable qualification of further concession, I have, from that period, uniformly insisted, from the sincerest conviction of my mind, that the adoption of a select committee affords the only practicable means by which any satisfactory result can be obtained. A committee of the whole House is but ill adapted to the examination of the various documents which, in the existing

circumstances, ought to be produced to constitute the basis of equitable and permanent legislation. No information whatever has hitherto been put upon record;—assertions indeed have not been sparingly made, but wholly unsubstantiated, and it is surely too much to demand credit to mere assertion as to the facts and points at issue, in a question of such vital interest.

Before I enter, Sir, upon the grounds of the motion, I shall beg to state its component parts distinctly to the House, in the order I propose to move them, namely:

“That a Select Committee be appointed to examine and report the state of the laws affecting his Majesty’s Roman Catholic subjects within the realm:—the state and number of the Roman Catholic clergy, their religious institutions, and their intercourse with the See of Rome, or other foreign jurisdictions:—the state of the laws and regulations affecting his Majesty’s Roman Catholic subjects in the several colonies of the United Kingdom:—the regulations of foreign states as far as they can be substantiated by evidence, respecting the nomination, collation, or institution of the episcopal order of the Roman Catholic clergy, and the regulations of their intercourse with the See of Rome.”—If this be conceded, I propose to move that the committee do consist of twenty-one, and that the following members be of the said committee, namely, lord viscount Castlereagh, Mr. Ponsonby, Mr. Yorké, Mr. Grattan, Mr. Ryder, Mr. Canning, Mr. Bathurst, Mr. Tierney, sir William Scott, sir John Newport, sir John Nicholl, Mr. M. Fitzgerald, Mr. Peel, Mr. Plunkett, Mr. Bankes, Mr. Wilberforce, Mr. Barry, Mr. Brogden, sir Samuel Romilly, and Mr. Barham: that they meet tomorrow morning, in the Speaker’s Chamber, and have powers to send for persons, papers and records:—that five be a quorum:—that they have leave to sit notwithstanding any adjournment of the House, and that they have power to report, from time to time, the minutes of the evidence taken before them.

The object of the motion, Sir, thus distinctly stated, is to collect and report a body of evidence which may best afford the means of legislating, on such a subject, with more accuracy and effect than could otherwise be obtained; and to facilitate this object, should the motion be acquiesced in by the House, I shall move for the production of various documents to be put upon

record. In the selection of members to constitute the committee, I think it must be admitted that those I have named are fully competent to such investigation; I have had in view an equal selection of those who have been considered as supporters or opposers of farther concession to the claims of the Catholics. It is not my object to ask for powers to report any specific opinion upon the evidence which may be adduced, or to prescribe the course or limits of concession, but merely that the evidence should be distinctly stated to the House, which, by having such a tangible body of information before it, may, as I have observed, proceed with more accuracy and effect to ultimate and adequate legislation. An hon. member near me (Mr. Wilberforce) who I conceived would have been the last to have objected to so rational a procedure, observed in a former night's debate, when I mentioned the object of my present motion, that such an investigation, he feared, might lead to "darkness visible"—intimating also that we should be involved in a labyrinth of theological discussion, tending to no profitable result. Were it, Sir, my object to enter into such discussions, which in fact it is not, I might again remind my honourable friend, that accustomed as he has been himself to theological inquiries, he has not always manifested, as far as they have been connected with the Catholic subject at least, great accuracy of information. As a proof, he must allow me also again to advert to the circumstance,—when I was stating, some years since, a fact in reference to the constitution of the established church, he observed, "that I had cited a canon of the church of Rome." I had the satisfaction however of convincing my hon. friend that I had quoted, verbatim, that part of the 113th canon of James I. which enjoins the ministers of the established church, to conceal all crimes revealed to him, in confession, as scrupulously as is practised in the church of Rome, for the *exception* made in the canon, or constitution of 1603, has not now, nor had it then, any legal weight,—there being no species of offence—not even that of high treason, the bare concealment of which subjects the person concealing it, to the penalties of a capital offence, which was the only exception to secrecy enjoined by the canon.

But, Sir, entreating pardon of the House for these repetitions, I



must say also that though it is not my object to introduce theological discussion, yet, in a question which must involve frequent reference to some of the most essential tenets of the doctrine and discipline of the church of Rome, it is impossible altogether to avoid it, especially as the civil allegiance of Catholics is considered, by the opponents of their claims, to be so intimately blended with, and dependent upon, the tenets of their religion.—In this view, doubtless, it was that a right hon. gentleman (Mr. Ryder) who moved the call of the house for this day, moved for the production of the documents constituting the course of education pursued in the college of Maynooth. As I was not in the House, Sir, when the motion was acceded to, and as the tracts which were in use, in that college, were familiar to me, I thought it my duty to move on the following day, for the production of the “*Tractatus de Ecclesiâ*”—“*de Religione*” and de “*Sacramentis*”—the latter including also “*a Dissertation on General Councils:*”—these tracts chiefly comprehend the course of the theological studies at Maynooth, and were all compiled by the Professor de la Hogue, who is now professor of divinity at that college, and who formerly filled the chair of a professor, with just celebrity, for twenty years, at the Sorbonne. I cannot, Sir, name this venerable ecclesiastic, who has now attained, I believe, his eightieth year, without paying my willing tribute to his estimable character and exemplary conduct in the exercise of his professional charge. I had an additional motive for moving for the production of his tracts, as so much misconception had prevailed respecting one of them. It will be recollected, Sir, that, in the last parliament, a right hon. gentlemen, whose untimely and calamitous loss we must all deplore, (the late Chancellor of the Exchequer) quoted a passage from the “*Tractatus de Ecclesiâ,*” inferring from it that the Professor had enjoined a scrupulous observance of the whole discipline, as well as doctrine, enjoined by the council of Trent. In the same error a right reverend prelate (the bishop of Lincoln) has addressed his clergy in a pastoral charge, referring to the same passage—but it is due to the memory of Mr. Perceval to state, that he immediately avowed his error when, (as he had made a pointed reference to me across the House,) I indicated to him the various passages, in the same work of the professor, by which it was evident that he

referred to those regulations of discipline which were comprehended in the preceding compendium, and were substantially sanctioned by the Gallican church. In fact, the several tracts which have been laid before the House, in consequence of the motion I have noticed, are no other than the same course of ecclesiastical studies, which were pursued in the Sorbonne, in which university it is well known that no person can graduate without defending the four memorable propositions of the Gallican church, which maintain its independence, and wholly reject the interference of the see of Rome, in temporals—in a word, which reject all those imputed, obnoxious tenets, which it is the object of the several oaths of our statutes of toleration to abjure. I should add that the professor de la Hogue cites the authority of the celebrated Bossuet, affirming that many of the disciplinary regulations of general councils are merely to be considered as applicable to times and circumstances. “*Multa etiam sunt decreta quæ non pertinent ad invariabilem fidei regulam, sed sunt accommodata temporibus atque negotiis.*”—It is scarcely necessary, Sir, that I should say, that the history of those days informs us, that although a division obtained among the Gallican clergy respecting the acceptation of the discipline of the council of Trent, it was unanimously rejected by the French parliaments: indeed many of its disciplinary regulations have since become constitutions of the state; but therein they derive their authority from the state itself. I cannot but recollect, Sir, some light and taunting observations thrown out when I moved for the production of these tracts—which was considered as intended, on my part, injuriously to operate as an obstacle to the Bill proposed by my right hon. friend. With all veneration for his exalted character and pre-eminent talents, I regret to say that I cannot feel the same respect for the Bill which he has introduced. Our ultimate object, Sir, may, in substance be the same, but the Bill does not, in my humble estimation, point out an unexceptionable course to attain it.—I cannot therefore say of the Bill—or of the clauses suggested by another right hon. gentleman, ‘*materiam superabat opus*’—I admit the substance, or principle of both his clauses to be in conformity with my own views of regulation; but I cannot bring my mind to assent to the circuitous, and, as I view them, untenable means, by which the end is proposed to

be produced. After the House had consented to the printing of those clauses, on their first introduction, I thought it my duty, Sir, to put in the same course of circulation, though not under the same sanction, a paper which I had drawn up, some years since, as pointing to the object sought to be secured by the first of those clauses. I mean, Sir, the modification of that interposition of government, which is now stiled the *Veto*, in the appointments of the Prelates of the Roman Catholic communion. I must apologize to the House for recurring so often as I have done in the several debates upon this subject, to what may be termed the history of the *Veto*; but it appears to me to be so necessary to be accurately understood, as scarcely to require apology for the repetition, especially as we are now circumstanced, in a new parliament, wherein the subject also must be new to so large a proportion of the members, in their representative character, at least. After the introduction of bishop Milner's proposition in the session of 1808—many months it is well known had elapsed before we heard any objections raised against it, and those who introduced it in parliament, had received the thanks of the chiefs of the Catholic prelaty:—at length some writers under the assumed names of *Sarsfield*—*Inimicus Veto*, and others, assailed bishop Milner and the Irish Catholic prelates as the authors of a measure subversive of the popular religion of their country. Mr. Clinch, a gentleman at the Irish bar, soon after coalesced with those writers; and as Mr. Clinch's pen had been often exercised in defence of the Irish Roman Catholic hierarchy, and was known to possess considerable talents and much practised in ecclesiastical polemics, his "Inquiry" or "Brief for the Bishops," as it is commonly stiled, published at the eve of the convention of the Catholic prelates, in September 1808 (assembled expressly to consider the proposition of Dr. Milner) had great popular weight, and has been avowed also to have had a material influence upon the deliberations of the prelates themselves.

The result of those deliberations was a vote "that it was *inexpedient* to introduce any alteration in the canonical mode hitherto observed in the nomination of the Irish Roman Catholic bishops." It is well known that when lord Southwell and sir Edward Bellew called upon the Roman Catholic primate Dr

Reilly, for an explanation of this vote—that Prelate maintained, in a letter since published, “that it involved no departure from the principle of the bishops’ resolutions of 1799, which had conceded the *Veto*;—that such concession was not contrary to the doctrine of the Roman Catholic religion—but that it might be eventually attended with consequences dangerous to the Roman Catholic religion;” but adds the archbishop, “such danger is of a temporary nature resulting from existing circumstances.”—To the same effect also was the answer of the Roman Catholic archbishop of Dublin, Dr. Troy, two months after the date of this resolution of “inexpediency:” both prelates having reference only to the temporary influence of an administration considered, by them, as inimical to the claims of the Catholics. I will not go further, Sir, into the details of that controversy, I have often expressed my opinion upon the subject in this House, and I thought it also incumbent upon me not to withhold those opinions from the public—as it is a question upon which the public mind has been much agitated, and must naturally continue to be agitated, while it involves the consideration of so material a departure from the systematic policy of our ancestors from the period of the Reformation, but more especially from the Revolution—for we know, that, between those periods, during four reigns, Catholics were not deprived of the representative franchise, but continued to sit in parliament till the epoch of the imaginary, or grossly exaggerated plot, supported by the perjuries of Oates and Bedloe.

Those opinions, Sir, which I have so often expressed, had the good fortune to be in concurrence with those of a great number of gentlemen near me, if I am to collect their sentiments from their repeated declarations both within and without the doors of parliament: from those opinions, Sir, I have never swerved. I can reproach myself with no inconsistency,—I have been uniform in declaring that I can never be the advocate of further concession, but as the result of deliberate investigation; and that investigation, I conceive, can only be effected by the institution of a select committee, such as is the object of the motion which I have this day the honour to submit to the House. The report of such a committee, I must repeat, as I have contended for, year after year, would constitute the

best ground work of legislation ; but antecedent to any conclusive act of legislation, I must also contend that the report of the committee should circulate not only among the members of this House, but throughout the country. We do not want authorities for such a procedure, and even in the discussion of this subject, on the motion of my right hon. friend, some weeks since, it seemed to meet the views of the warmest advocates of concession, that the Bill should not, in the present session, pass into a law.

With respect to the two clauses which are now engrafted on the Bill, I have said that the end sought for in both, is in perfect conformity with my own view—but differing as to the means,—and the object of the second of those clauses, especially, demands the most deliberate investigation of a committee, as the several authorities adduced from the practice of other states, are of great importance, with reference to the security of the establishment, and to be supported, as the basis of legislation, upon the uniform principles maintained even in Catholic states, not less jealous of the encroachments of a foreign jurisdiction, than those of the Protestant communion.

I will suppose, Sir, for a moment, that we immediately proceed to legislate in the very letter of the Bill introduced by my right hon. friend, with the addition of the restrictive clauses now introduced. We have already observed enough of the temper and language held in some assemblies of Catholics in Ireland, to anticipate the result—"let us alone," they say, "rather than impose upon us such shackles—we will have nothing short of unqualified concession."—The uninformed member of the establishment will not be less hostile to the farther extension of privileges to the professors of a religion which our state policy demands should be circumscribed with such apparent precautionary fences. He will not readily separate, in his apprehension, the Roman court from the Roman see. He may have yet to learn that one of the stoutest defenders of our establishment, has gravely and truly admitted that "our controversy about Papal power is not a question of faith, but of interest and profit; not with the see of Rome, but with the court of Rome." So archbishop Bramhall defines it; and I need not cite authorities in support of the orthodoxy of that prelate on

the strictest principles of the establishment. But, Sir, I am disposed to think that the opinions of the great mass of the less informed Catholics as well as Protestants, might receive different impressions, if, from the information derived from the investigation and report of a select committee, they should learn that the primitive church, in the early ages, long anterior to the Reformation, was ever jealous of its independence, and that the municipal enactments of our ancient sovereigns and their parliaments were sedulously directed to maintain that independence in reference to the frequent and systematic encroachments of the court of Rome. A weak deference to the intrusive spirit of the Court of Rome, by bigotted or timid princes, is not to be confounded with the abstract principles of the religion of Catholics, though such examples are but too often found in the history of our country. The most irrefragable documents might be produced in a committee to evince the frequent and successful resistance to such encroachments, both in ancient and modern times, on the part even of those states which are supposed to have been most blindly devoted to the see of Rome. The spirit of the Gallican church has been pre-eminent—but Spain and Portugal,—Naples and Austria,—Savoy, Venice and Tuscany—in a word, every Catholic state, even on the other side of the Alps, with an exception to the Roman territory itself, have afforded distinguished proofs of this spirit of independence in the proceedings of their governments, not only by maintaining the freedom of their nominations to the prelacy, but have, also, under various appellations, whether of the *placet*, the *regium exequatur*, or some analogous term, asserted the right of the sovereign to the inspection and licensing of all rescripts emanating from the see of Rome (those of the penitentiary only, under certain guards excepted) before they were allowed to have circulation or validity within their respective states. Surely, Sir, the well attested documents in support of such instructive facts are of no light estimation, but of practical utility, as salutary precedents; and it will be difficult to assign a satisfactory reason why they should not be recorded, in the report of a committee, as an incontrovertible answer to those misguided zealots who denounce all measures of state regulation as inconsistent with the integrity of the Roman Catholic religion. Let us, Sir, again revert to the

solemn admission of the four metropolitans and six senior bishops of Ireland, of the Roman communion:—have they not admitted that the interference of the crown is not incompatible with the integrity of their religion, and, with a view to ascertain the loyalty of a candidate, “it is just and ought to be acceded to?” Let us examine all their subsequent resolutions to the present hour:—I maintain that they have not attempted, in any one of them, to controvert the principle of their admission of 1799, although, indeed, they have set up a qualification of it as to the ‘*inexpediency*’ of present adoption.—Let us again advert to the several publications of bishop Milner, the accredited agent of the Catholic prelates of Ireland;—to his Letter to a right hon. member of this House (Mr. Ponsonby) which he has read in his place;—to the Letter, also, of the same prelate to a Parish Priest, in which he details the striking instances, in various states, Catholic and Protestant, of the exercise of that prerogative of the crown;—“The exercise of ecclesiastical power” (says bishop Milner) “being of so much consequence to the welfare of a state, there is perhaps *no civilized Christian country*, in which the government does not interfere in the appointment of the prelates, who are to exercise this power; and it is judged that there is no country in which this interference *is so necessary as in Ireland*. In Catholic countries the prince nominates without any controul, and the Pope gives jurisdiction as a matter of course;—in almost every uncatholic country, means are provided and care taken, both by those who have a right to present, and by the holy see herself, that no person obnoxious to the sovereign shall be raised to the prelacy. The sovereigns of Russia and Prussia will be found to have exercised a power, in this respect; *which far exceeds that which the Irish Prelates have offered to his Majesty*.”—Such are the precise words of bishop Milner; but, Sir, I have quoted and requoted these pointed admissions, in former debates,—admissions on the part of bishop Milner, not merely to be found in his Letter to a Parish Priest, but in various other of his letters published under his signature, in the newspapers at that period, and addressed to their several editors. In speaking of this prelate, I must not pass over his salutary admonition to the Catholic Prelacy in Ireland, on the eve of their convocation in 1808.—“If,” says he, “the prelates should abide by what they

have solemnly resolved upon, they will have nothing more to do than what is probably within their sphere, and what is comparatively easy to be done; namely, to enlighten their people and *shew them how grossly they have been imposed upon, both as to facts and reasoning.*—It is, Sir, in concurrence with this sentiment that I anticipate the salutary effects of the report of a select committee going forth to the public eye—that the Protestant and Catholic should have equally the advantage of the information to be derived from it, by emancipating themselves from the force of their prejudices. Of bishop Milner's subsequent changes of opinion we are pretty well informed by himself, and he has not failed to announce to us the vote of the Roman Catholic bishops of Ireland, recognizing his “apostolical firmness” in resisting the fifth resolution of the English Catholics assembled on the 2d of February, 1810. So extraordinary a vote, however, I am persuaded would not have passed, had not much great misrepresentation of facts been conveyed to that venerable body; they could not have qualified the negative conduct of bishop Milner, on that occasion, with such extravagant eulogy, if they had known that he had declared that he would not interpose to prevent any priest, of his own district, from signing this reprobated resolution: and that to a question put to him by an English Catholic peer, demanding whether he might conscientiously sign the resolution, his lordship was answered in the affirmative!—As an agent of the Irish prelacy, merely, bishop Milner withheld his own signature (for such was the motive he assigned) when every other prelate of his church who was present—namely, five in number, subscribed their approbation of the temperate and loyal resolution.—And here I may observe that the ecclesiastical character with which Dr. Milner is clothed by the see of Rome, may with propriety become one of the subjects of consideration in such a committee as I have in view, as I am persuaded it will be found much more congenial with the spirit of our constitution, to exclude the admission of such delegated authority than to connive at it. I do not contend that the recent conduct of bishop Milner has been influenced by his delegated character of apostolical vicar;—I have said that all his colleagues, invested with the same character, pointedly contrasted their conduct to that of bishop Milner, by signing the temperate and loyal reso-



lution of the 2d of February—nor do I impute disloyalty to Dr. Milner in withholding his signature;—but the absolute dependency of the character of an apostolic vicar upon the see of Rome, is an objection taken by the most enlightened Catholics themselves;—bishop Milner himself is well aware of it—and in one of his publications contrasts the dependent state of himself and colleagues, upon the see of Rome, to that of bishop's ordinaries—in other words—with the condition of prelates whose faculties are not revocable at the mere will of the Sovereign Pontiff. I have often, Sir, adverted to this material distinction, and shewn the facility of removing the objection.—Every loyal Catholic prelate, thus circumstanced, would rejoice in the change, and we should hasten to remove this delegated, representative authority, whose incompatibility with the spirit of our government, must be more felt in proportion to the nearer approximation of the Catholic and Protestant to each other. In saying this, it is due from me, also, to observe that the change will never be resisted, when the see of Rome is filled by a Pontiff who has only the integrity of his religion at heart. I have proofs, and have before stated them, that it would not have been opposed by Pius VI.—nor would it be, I am persuaded, by his successor, if he possessed the freedom of action.

When, Sir, I animadvert on the conduct of bishop Milner, as an individual, I do it with pain,—but the cause of truth exacts it from me. Bishop Milner is no insignificant person—he cannot be kept in the back ground, nor the eccentricities of his conduct be disregarded. He is unquestionably a prelate of great learning,—of a warm and forward spirit,—and he presides over the Catholics of fifteen English counties, of great Catholic population. I will not here recur to his controversies at the period of the Act of 1791—they were successful to the cause he espoused, but I will look to his subsequent Letters to a Prebendary, and his Case of Conscience;—the former addressed to the late Chancellor Sturges, in defence of the civil principles of Catholics, and the latter written in refutation of the opinion that a further concession to the claims of the Catholics was incompatible with the obligation of the coronation oath. His liberal opponent Mr. Chancellor Sturges, admitted that bishop Milner's argument, in the latter tract, was unanswerable;—such too was the opinion of

Mr. Pitt, who countenanced the publication of that tract. It is to be regretted, Sir, that this learned prelate should, of late, have travelled so much out of his course,—for his recent publications are as much calculated to keep alive the dissensions between our Catholic fellow subjects and the members of the establishment, as those which I have noticed, were to extinguish them. Of his exceptionable works, Sir, I have in my hand one, which considering the moment when it is given to the public, though more particularly addressed to the Catholic clergy of his district, I cannot but consider as deserving of marked reprobation—and indeed no composition can be less calculated to promote the object which every rational and loyal Catholic must have at heart, by removing those prejudices which are opposed to further legislative concessions in his favour.—I hope, Sir, I may claim the indulgence of the House in adverting to a few passages of this extraordinary pamphlet.

[Sir J. H. here read several exceptionable passages from the Pastoral Charge of Bishop Milner of the 24th of March, 1813, addressed to the Clergy of the Midland District.]

The learned prelate has also done me the honour to make my conduct, in respect to this question, the subject of near twenty pages of this Pastoral Charge.—He calls upon me to produce any authentic document that the church has acknowledged *any right* in the sovereigns of Prussia to nominate to the Catholic sees of Silesia, or for the appointment of a bishop of Quebec, when presented by the English crown:—“What then have we not to expect,” he adds, “should he (meaning himself) draw over a majority of his colleagues, in parliament, to adopt his sentiments?”—Of the fact of the unresisted practice of such nominations, having the proof in my possession, (as I have repeatedly stated, and a practice the learned prelate has himself admitted) —it is not material whether his church have *acknowledged the right*,—it is sufficient that the practice is established in those and other states, and invariably acquiesced in by his church; we know that his church protested against all the reservations in favour of Protestant sovereigns and their Prelates, as conceded by the treaty of Westphalia—and that Innocent X. by a Pontifical Bull, pronounced the treaty, to that effect, null and void, as an encroachment on his spiritual jurisdiction;—but we know

also that neither Catholics nor Protestants paid the least attention to the annulling Bull;—that the Emperor and all the States, ecclesiastical as well as civil, ratified the treaty,—and that it remains as a constitution of the empire, if it can be said to have a constitution, at the present hour.

In reply to my assertions that our Catholic ancestors established similar barriers to those now contended for, against the encroachment and abuse of the Papal power, Bishop Milner observes “supposing the English and Irish Catholics choose to have a species of Catholicity of our own, one more analogous to the present freedom of our constitution, and to the freedom latterly enjoyed by all other dissenters from the established church, how can this concern the honourable Baronet, provided we are good and loyal subjects?”—“The statutes of Provisors and Premunire (he continues to observe) were devised merely to prevent the court of Rome from bestowing temporal fiefs, annexed to bishoprics, on foreigners.”—To this part of his argument I shall only repeat that we are to look to the practical course of nominations as followed by other states—and indeed in some instances, we may add our own, for the Catholic bishop of Quebec, who is actually nominated by the governor of Quebec, has no temporal fief attached to his see;—nor have the Apostolic Vicars, where licenced, in other Protestant States, to exercise their spiritual functions:—the same may be said of the coadjutor Bishops of the Russian Empire, and I am yet to learn whether there be any such Fief attached to the archiepiscopal See of Mohilow—I suspect it to be otherwise. But this, Sir, is a new objection raised since the debate of 1808, for no such reasoning occurred to the Irish Catholic Prelates in 1799, when they pronounced in favour of the justice and propriety of the interference of the crown; nor did this objection occur to bishop Milner himself when, heretofore, exercising his pen in various publications in defence of those resolutions of the Irish prelates.—The bishop in this charge, as in other of his recent publications, is very diffuse of his epithets of condemnation of any attempt to institute a control upon the intromission and publication of Papal rescripts.—“Star-chambers and Inquisitions” are the terms of description by which he attempts to convey to his clergy an idea of the regulations to this end, which it is proposed

to provide by legislation.—Here, Sir, we have only to refer the bishop to the uniform legislation of every other state,—Catholic or Protestant,—wherein a dominant religion is established—and we can see no reason why our own should set the example of unprecedented forbearance. But, says the bishop—“ By what kind of regulation can the Baronet prevent the transmission of that spiritual jurisdiction, which can no more be torn away or handled than a beam of the sun?—Is he ignorant that it can be communicated not only by the pen, but also by word of mouth, by sign—by signal? I should be curious to learn how the hon. Baronet would propose to regulate these intricate and subtle matters in the Secret Committee which he is incessantly calling for?”—

I believe, Sir, that this sort of argument is calculated rather to promote, than to check the institution of such inquiries as I have proposed to the House. Other States have found no difficulties in establishing regulation—I have no visionary Theories to recommend—I wish only to establish the proof of existing authorities, and to act upon them; in this wish I carry with me the sentiments of the best informed Catholics, who are not less tenacious of the integrity of their religion, than the learned Prelate who seeks so industriously to alarm and unsettle their consciences.—The bishop, at length, proposes a new form of oath which offers a security, as he avers, much more effectual than the security proposed by me—but in respect to those securities which are already proposed for enactment, as modified in the clauses introduced by the right hon. member opposite to me; he tells us that—“ thirty bishops, with their clergy, and a numerous “ laity, are ready to mount the scaffold and submit to the axe or “ the halter, rather than submit to them.”

The House will judge whether such declarations proceeding from an ecclesiastic, possessing, as bishop Milner necessarily must possess, a great influence over the minds of so considerable a population of his extended district—may not be considered as pregnant with mischievous results? The learned Prelate insists upon the paramount security of his oath:—I am ready to admit that where oaths will not bind, human provisions are but too likely to be evaded—but the effort must be made, and precautionary guards must still continue to be the objects of enact-

ment:—a state must do its best to protect itself by the means within its disposal.—My right hon. friend, the Chancellor of the Exchequer, will feel great obligation to the learned prelate, if he can frame an oath which shall dispense with the necessity of keeping up our onerous establishment of revenue officers. I own that I am disposed to give credit to no man upon his oath, whom I would not willingly believe upon his word of honour. Such, also, it should seem, was the impression that influenced the councils of a government, proverbially cautious, in framing regulations similar to those I would provide on the present occasion:—the States of the United Provinces were content to receive a disavowal of those obnoxious tenets which have been imputed to the See of Rome, merely on the *priestly word* of an ecclesiastic—but they did not stop here: I have often stated the regulation, that every Catholic priest should be presented to the civil magistrate for approval, and the provisions respecting the controul upon Papal rescripts which existed, similar to those of other states.—These facts I stated on the authority of the Cardinal Archbishop of Siena, who is now living; from letters addressed to myself:—his Eminence was, also, for many years, Secretary of the college of *Propoganda Fide*.

And here, Sir, I think it opportune to observe respecting the administration of the oaths prescribed by the English and Irish Statutes, that the universality of compliance with that test is not such as is assumed by those advocates who think the security conclusive. An effort was recently made, in another place, to ascertain the extent of the compliance with the provisions of the English Act of 1791, as far as respected the prescribed oath, but the information was not drawn from the best source.\* When

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\* A return was made to the House of Lords, on the motion of lord Kenyon, of the number of Catholics, who had, within the last ten years, taken the oaths prescribed by the Act of 1791; only one name was returned. Lord Kenyon limited his motion to the returns made to the privy council, to which the Act directs that the returns should be transmitted from the offices of the clerks of the peace, but which injunction is not duly observed. The offices of the clerks of the peace supply the information, in the first instance, and they were resorted to by sir J. H. as stated by him in speaking to his motion.

the test of an oath is assumed to be the only test which we have a right to demand, and if, upon an averment that this test has been *generally* given, we are now called upon to concede to the claims of the petitioners, in their fullest extent, can inquiry, as to this fact, be deemed unjustifiable, or a work of supererogation? If it should appear, that the averment is not sustained by the fact, but on the contrary, that the numbers of those who have submitted to this test are comparatively few—it may be asked, if there be not some ground of objection, in this respect, conceded to the opposers of the Bill, especially in reference to the arguments of those who contend for this test as the best security?—I do not believe, Sir, that the majority of Catholics object to the prescribed oaths, but we know that objections have been taken to those oaths by some of them, and it could be wished that a test were framed, which could afford no ground of cavil. When the Bill of 1791 was introduced in this House, a great controversy took place, as I have heretofore stated, respecting the oath as originally framed. Bishop Milner was one of those most loud in condemning it; his objections, though disregarded in this House, were nevertheless countenanced in the other House of Parliament, and the late Bishop of St. Asaph, Dr. Horsley, decried the oath with scarcely less vehemence than Bishop Milner himself.

The oath, as it stood in the Bill, was altered in the upper House, at the suggestion of Bishop Horsley, so as to become unobjectionable to the English Roman Catholic prelates of that day,\* and so amended, is that which stands on the face of the

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\* In the Irish Act the *succession clause* is differently worded. Bishop Milner in a note to his brief Memorial, circulated in the lobby of the House of Commons on the night Mr. Grattan's Bill was withdrawn (dated 20th May, 1813) declares, "that many Catholics in England have refused to take the oath appointed for them by the Act of 1791, in consequence of the terms in which the succession clause is couched, and it is presumed that many more in Ireland, where it never yet has been proposed, will refuse to take it, on the same account, namely, from an idea that they thereby would be obliged to take up arms against the sovereign, in case he was to profess their religion, which nobody can believe they would do." He then proposes a change of

Act of 1791. When we advert, Sir, to the great mass of Catholic population, even of this part of the United Kingdom, and observe such questions raised on the subject of this test;—when we find also, that comparatively, so few have complied with the provisions of the several Acts of Toleration in this respect—can we wonder that objections are urged against further concession?—May we not expect complaint of the negligence, at least, manifested by the majority of Catholics in not complying with this essential provision of the Act—especially as many of the penal laws must continue in force against those who possess, and are in the habitual observance of the ostensible rites of their religion, without conforming to the provisions of the legislature, as the condition of exemption?

The Petition of the Irish Catholics in 1805 states—“That the petitioners have solemnly and publicly taken the oaths, by law prescribed to his Majesty’s Catholic subjects, as tests of political and moral principles.”—In the year 1812, the Catholics of Ireland assert:—“We have publicly and solemnly taken every oath of fidelity and allegiance which the jealous caution of the legislature has, from time to time, imposed as tests of our political and moral principles:”—again—“By those awful tests we have bound ourselves, in the presence of the all-seeing Deity, whom all classes of Christians adore, to be faithful and bear true alle-

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the terms of the oath—substituting the words “to *submit* to the Act of Settlement, &c.” The Irish Prelates, it is well known, have often urged the removal of the same obstacle—and Bishop Milner urged it in their behalf, in his letter to Mr. Ponsonby in 1810. In the Bill introduced by Mr. Grattan, the words “the heirs of her body (the princess Sophia) *being Protestants*,” form part of the oath—the authority therefore of Bishop Milner, speaking from his experience, as an Apostolical Vicar of England, and also as agent for the Catholic bishops of Ireland, is adverse to the oath, as introduced in the present Bill. The votes of the Catholic prelacy of Ireland of the 29th of May, 1813, and of the aggregate meeting of the Catholics of Ireland, 15th June, 1813, have since appeared, by which Dr. Milner is again thanked for “his manly and conscientious opposition” to Mr. Grattan’s Bill:—with these facts before the public—concession, *without inquiry*, does not seem to afford the best means to promote the object proposed by the Bill.

giance to our most gracious sovereign."—The English Catholics, also, in their petition of the present sessions, declare, that they have "cheerfully and readily taken the oaths, and signed the declaration prescribed in the Acts which have been passed for their relief,—they humbly conceive that further securities cannot be required from them."—What can be collected from these solemn allegations but that the Petitioners themselves were fully impressed with the propriety and even the necessity of a general conformity to the provisions of the legislature, so far as to shew that they had submitted to the test, of which they speak with so much reverence, in order thereby to substantiate their claims to concessions for which they now apply to parliament?—not merely for themselves, but on behalf of the whole Catholic population of the United Kingdom? And upon this principle their most strenuous advocates have uniformly urged those claims. Let us also revert, Sir, to the period which I have before noticed, namely, the year 1791, after the Act had passed—let us look to the invitation given by a venerable Roman Catholic Prelate who then presided over the London district (or the ten southern counties)—The late Bishop Douglas, in reference to the oath prescribed by the Act of 1791, thus addressed the Catholics of that district: "As our emancipation from the pressure of the penal laws\* must awaken every feeling of a grateful mind, hasten to correspond, on your part, with the

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\* As many of the speakers in assemblies of the Catholics in Ireland seek to impress upon the public feeling a sense of injuries sustained by Catholics from an exaggerated violence offered to the rights of conscience, the following Extracts of the Pastoral Charges of Archbishop Troy, and Bishop Moylan are subjoined:—the candid representations of the Prelates, at that period, very little correspond with the language held in these assemblies.

*Extract from Appendix No. V. to Sir J. C. Hippisley's Letters to the Earl of Fingall. [Murray, 1813.]*

The following Extracts from the Pastoral Addresses and Remonstrances of Archbishop Troy and Bishop Moylan, manifest their laudable efforts to disabuse the Roman Catholics of their Dioceses, at a period of great public danger; and also denote the sentiments of those Prelates respecting the political, as well as ecclesiastical, condition of the Roman Catholics of Ireland.



benignity of government; hasten to give our gracious sovereign that test of loyalty which the legislature calls for, and to disclaim

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*Extract of a "Pastoral Letter of Dr. Troy, R. C. Archbishop of Dublin, to the Catholics of his Diocese;" dated Dublin, 25th May, 1798.*

"Compare your present situation with the past. Twenty years ago the exercise of your religion was prohibited by law; the ministers of it were proscribed; it was penal to educate Catholic youth at home or abroad; your property was insecure, at the mercy of an informer; your industry was restrained, by incapacity to realize the fruits of it. At present you are emancipated from those and other penalties and disabilities, under which your forefathers, and some among yourselves, had laboured. You are now at liberty to profess your religion openly, and to practise the duties of it; the ministers of your religion exercise their several functions under the sanction of law, which authorises Catholic teachers; a college for the education of your clergy has been erected at the recommendation of his Majesty; it is supported and endowed by parliamentary munificence; the restraints on your industry are removed, together with the incapacity to realize the fruits of it for the benefit of your posterity. What, let me ask you, has effected this favourable change—this great difference between your past and your present situation? I answer, your loyalty, your submission to the constituted authorities, your peaceable demeanour, your patience under long sufferings.—It was this exemplary and meritorious conduct, invariably dictated by the principles of your religion, which pleaded your just cause, and determined a gracious king and a wise parliament, to reward it by restoring you to many benefits of the constitution.

"You will, perhaps, reply, that some legal disabilities still exclude the most loyal and peaceable Roman Catholic from a seat or vote in parliament, from the privy council, from the higher and confidential civil and military departments of the state.—I grant it. But is it by rebellion, insurrection, tumult, or seditious clamour, on your part, that these incapacities are to be removed?"

*Extract from the Remonstrance of Dr. F. Moylan, R. C. Bishop of Cork, addressed to the Catholics of his Diocese, "and particularly the lower Orders." Dated Cork, 16th April, 1798.*

"But whilst I exhort you, my brethren, patiently to endure whatever portion of evil, in the general distribution of Providence, may fall to your share; I would have you not unmindful of the blessings you

every principle dangerous to society and civil liberty, which has been erroneously imputed to you."—Such was the salutary admonition of Bishop Douglas on the 14th of June, 1791, and he was immediately followed by the hon. Bishop Talbot, Bishop Walmesly, and Bishop Gibson, in pastoral charges to their several districts—they all speak of it "as a test *required* by the legislature from the Catholics of England" and "to be subscribed," to use Dr. Talbot's words, "without scruple or difficulty." If scruples and difficulties be now raised therefore—

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enjoy, and the favours you have received: certain privileges excepted, you possess the advantages of the constitution. The penal laws, under which our fathers groaned, have been almost all done away. You have the comfort of exercising your holy religion without control; and to the benignity of government, and to the liberality of parliament, we are indebted for the establishment and endowment of a Roman Catholic college, on an extensive plan, which will afford a liberal education to our youth, and a supply of clergy to our church, when the present generation have finished their career: these are blessings—these are favours, that should excite and call forth our gratitude; and this gratitude we should evince by a steady attachment to the constitution, and unshaken loyalty to our gracious sovereign,—a sovereign, who has done more for the Roman Catholic body, and, indeed, for this kingdom in general, than any, or all of his predecessors. I know, beloved brethren, that efforts have been made by evil-minded men, to weaken your attachment to the constitution of your country, and your allegiance to the best of kings, by circulating impious and seditious writings, and encouraging you to outrage and riot; but, in the name of God, why should you be the dupes and tools of these wicked incendiaries?"

The Declaration of the Roman Catholics of Ireland, in the year 1791, when they were exposed to the pressure of a great part of the penal laws, since repealed, was also highly creditable to their feelings and conduct at that period, when they asserted, "That it was not for the Irish Catholics, like public foes, to take advantage from public calamity: they ought to advance their claims at a time favourable to discussion, when the condition of the empire is flourishing and tranquil. They might seem culpable to their country, if, affecting to dissemble what it is unmanly not to feel, they reserved their pretensions in ambush to augment the perplexities of some critical emergency."

and if those scruples and difficulties be imputed to Catholics by their opponents as justifiable grounds for withholding from them the objects of their petition, is it unreasonable or superfluous to institute inquiry? What, Sir, is the language of the legislature in contemplation of this precise object? Our English Act of 1791, declares it to be expedient that such persons as shall take the Oath of Allegiance, Abjuration and Declaration, shall be relieved from some of the penalties and disabilities of former statutes.—The Irish Act of 1782 declares, that those who have taken the prescribed oaths “ought to be considered as good and loyal subjects.”—It is therefore, Sir, in the letter and spirit of these Acts that we are called to inquiry, and if it can be shewn that the non-compliance with the provisions of them have resulted from causes within our power to obviate, consistently with security to the establishment, in the name of God, let us hasten to remove them, and by every effort in our power seek to unite every fellow-subject “to each other by mutual interest and affection;”—but, let not the inquiry be stigmatised with imputed motives, resulting from the very opposite principles to those which dictate it.

Sir J. H. then proceeded to state that he had requested information from the several clerks of the peace of twenty-nine of the forty English counties, including those of the most considerable Catholic population—such as Lancashire—Yorkshire—Northumberland—Staffordshire—Shropshire, &c.—also the metropolis and its vicinity.—It had been admitted, he observed, by a Roman Catholic Prelate, that the Catholic population of Great Britain was little short of half a million; Bishop Milner had indeed stated it only at half that amount—of the accuracy of either he would not pretend to judge, but he would state such facts as did not admit of a doubt:—there was no doubt but that the Catholic population comprehended within a circle extending 10 miles from the metropolis, as its centre, exceeded 80,000; yet the number of those who had taken the oaths since the year 1791 (the date of the English Act) in the county of Middlesex, and enrolled by the clerks of the peace, did not exceed 97; and including the neighbouring counties of Surrey, Kent and Essex, only 77 more were to be added. In stating this fact, sir J. H. observed, that it was incumbent upon him to observe also, that he was fully

persuaded that no admonitions have been wanting on the part of the Catholic Prelate who presided over the London district:—the King had not a more loyal subject than bishop Poynter, nor the church of Rome a Prelate more exempt from any bigotry or religious prejudices which could injure him in the estimation even of a Protestant.—It is assumed by Catholics that the Catholic population of the county of Lancaster exceeds 140,000, yet by the returns of the clerk of the peace within the same period, 454 only had taken the oaths.—In the county of Northumberland 96.—Of the fifteen counties of the Midland district, subject to Bishop Milner's spiritual charge, in Staffordshire (the most populous of Catholics) 35 only were enrolled as having taken the oaths since 1791—in Lincolnshire 85—in Derbyshire 43—in Norfolk 10—in the whole Midland district 504.—Sir J. H. then adverted, particularly to the city of Bristol, because, in addition to the return of the clerk of the peace, he had been supplied with the information of the senior priest who presided in the Catholic congregation in that city, and who stated that the number of Catholics within his charge were about 1,500, though upon the medium calculation of registered deaths, sir J. H. observed, that they ought to amount to a population of 2,790—but taking it at one or the other number, those who had taken the oaths at the sessions of the city and county of Bristol, since the Act of 1791, amounted only to 4 persons; in the neighbouring county of Somerset 33, and in the county of Gloucester 1. After particularizing other counties, sir J. H. observed, that the whole English Catholic population of the 29 counties, from whence the returns had been received from the clerks of the peace, those who had taken the oaths amounted to 1,835, and that the remaining counties of England and Wales must, in respect of Catholic population, be comparatively inconsiderable. Of the number recorded as having taken the oaths in Ireland sir J. H. observed that he had no accurate information. The result as far as respected the county and city of Cork, obtained from the office of the clerk of the peace by a friend whom he requested to make the inquiry, amounted, in the city, to 948, and in the county, to 5,500, from which last number, about 1-5th was to be deducted as having taken the oaths, more than once, on account of qualifying to exercise the elective franchise,—the

whole population of the city and county of Cork was moderately estimated at 650,000; from the city and county of Dublin, sir J. H. said he had no particular returns—as the fee of a shilling per name had been demanded of the person making inquiry, but it was generally asserted, at the office, that the number of those who had taken the oaths amounted to between 3 and 4,000. Such is the result, Sir, of the information (continued sir J. H.) that I have received—information doubtless, as far as it goes, of apparent accuracy—but very remote from affording the proof or presumption of that universality of compliance with the test which has been so generally asserted.—Need I ask, will such evidence satisfy parliament and the country—and has not parliament a fair claim to be satisfied as to the extent of conformity to its legislative provisions, when that conformity is assumed as the rational and exclusive ground of concession? I have not, indeed, introduced this inquiry among the heads of information enumerated in the motion, although it may be considered as a proper subject of investigation. I am not however disposed to infer from this deficiency of numbers of those who have subscribed the test, a consequent deficiency of loyalty among the Catholic subjects of his Majesty. I know many have considered the prescribed oath as objectionable on principles purely conscientious, and wholly unmixed with any disloyal prepossession; but the facts which I have stated must nevertheless be considered by many to be of grave consideration,—at least while they are not supplied with adequate information to account for the deficiency to reconcile it with the principles of loyalty.\*

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\* The following is a more particular return from the communications above referred to:—In Cambridgeshire, 2; Derbyshire, 43; Huntingdonshire, 0; Leicestershire, 2 priests, 9 lay Catholics; Lincolnshire, 85; Norfolk, 2 priests, 8 lay Catholics; Northamptonshire, 1; Nottinghamshire, 13; Rutlandshire, 0; Shropshire, 19 priests, 9 lay Catholics; Staffordshire, 35; Suffolk, 4 priests, 39 lay Catholics; Warwickshire, 97; Worcestershire, 5 priests, 211 lay Catholics; from Oxfordshire no return was made. The preceding fifteen counties constitute the middle district, of which Bishop Milner has the spiritual charge as Vicar Apostolic.—Total 504.

In Bristol, 1 priest, 4 lay Catholics; Co. Chester, 3 priests, 21 lay

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With these observations, Sir, I shall dismiss this part of the subject, and return to the more immediate objects of the motion:—and here, Sir, I must call to my aid the recorded opinion of a noble Baron (lord Grenville), who has given so much consideration to this subject—and who, with so much eloquence and force of argument, has so often supported the claims of the Catholics in another place. “Whenever this great measure shall be adopted”—said the noble Baron, in moving the question on the 27th of May, 1808—“let it not be one of hasty and inconsiderate concession, on which the pressure of the times shall stamp the character of weakness,—consider with what measures it ought to be accompanied—what course of policy is necessary to render its benefits effectual:—what safeguards its adoption may require.”—My right honourable friend, who introduced the Bill, may possibly say,—“Have we not provided such safeguards on the face of the Bill, and in the proposed clauses?”—I must answer, Sir, that agreeing in the principle of those safeguards, I cannot but object in the unprecedented, and I think, inadequate, manner in which they are proposed to be applied:—and here I would ask, has there yet been a single document produced to satisfy the House, and the public, (who are not inattentive observers of our proceedings,) that we are pursuing the most advisable means to secure the object of our legislation—to demonstrate, to Catholics and Protestants alike, that the safeguards we seek are of unobjectionable and reciprocal opera-

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Catholics; Devon, 5 priests, 27 lay Catholics; Dorset, 104; Essex, nuns 9, priests 6, lay Catholics 13; Gloucestershire, 1; Hants, 124; Kent, 16; Lancashire, 93 priests, 361 lay Catholics; Middlesex, 14 priests, 33 lay Catholics; Northumberland, 13 priests, 83 lay Catholics; Somerset, 2 priests, 31 lay Catholics; Wilts, 138; York, West Riding, 15, (North and East Riding returns not received)—Total of all of the preceding counties of England, 1,835.—In Ireland, in the county and city of Cork, 4,400; in Dublin (computed) between 3 and 4,000. The period fixed for the inquiry, in England, was from the date of the Act of 1791; and, in Ireland, from the date of the Act of 1793.—Some addition to the preceding numbers, and, probably, considerable, must be assumed for those who may have taken the oaths in the superior Courts at Westminster, &c.

tion—that they offer security to the Catholic, as well as to the Protestant, against the encroachment of a foreign jurisdiction, and are sanctioned, by irrefragable authorities?—It is scarcely less incumbent upon us to convince our Catholic fellow-subject that we seek not the degradation of his religion, than it is to assure the members of the establishment and other denominations of Protestants, that we are zealously watchful over their security. It is to this end, Sir, that I wish to call the attention of the House, and I will pledge myself to produce such documents as shall have a just claim to influence our proceedings, from being sanctioned by the unerring test of experience.

If there ever were a period of our history when cautious procedure was enjoined by peculiar and existing circumstances, such is the present hour!—Inasmuch as intelligence from France, in its actual state, can be relied upon, we are informed, in the official paper, the *Moniteur*, that a new *Concordatum* has been signed, at Fontainebleau, and published on the 13th of February last, and that the Pope has, in effect, sanctioned the investiture of the bishops of France by the French metropolitans, independently of the exercise of his own spiritual jurisdiction, in the event of it being withheld beyond the term of six months—an admission, which, if substantiated, clearly demonstrates the unqualified influence Napoleon must have obtained, by intimidation or otherwise, and supplies an additional motive for our zealous circumspection, in reference to communications with the Roman Pontiff, in such cases as have been often adverted to. As to the specific stipulations of this *Concordatum*, they amount to no more than have been assumed by many Catholic sovereigns when in a state of warfare with the court of Rome, or when the ordinary intercourse with the see of Rome has been, from other causes, interrupted.—At a period which has been generally considered as an era of bigotry and superstition, we have found even Catholic sovereigns asserting the independence of their national church, as our Catholic ancestors have done—and of which the sovereigns of Spain and Portugal, and many other States, have also afforded instructive examples: but of these facts I shall have occasion hereafter more particularly to speak; I will therefore, with permission of the House, revert to the order in which I shall beg to move the principal objects of inquiry, and beg to call their attention to the substantive grounds of that inquiry.

The first object—is to examine and report the laws affecting his Majesty's Roman Catholic subjects.—Under this head,—I should distinguish those statutes which were enacted antecedent to the Reformation, from those of subsequent legislation;—including also such regulations as were considered as deriving their authority from the ancient common law of the realm. In this part of the investigation we should have little more to do than to have recourse to the perspicuous tract of lord chiefjustice Coke, introduced in the fifth part of his Reports, under the title of *Caudrey's Case, De Jure Regis Ecclesiastico*, which I noticed on a former occasion, and wherein is to be found the clearest information on this subject, traced from the earliest period of our history, down to the time in which he wrote, citing the judgments and resolutions of the judges, and other sages of the law, together with the several acts of the legislature:—of this valuable work, it is unnecessary for me, especially in this place, to pronounce an eulogy, and we cannot render a more acceptable service to the public, than by recognizing it in our report, should we go into a committee, and thereby giving a more extended notoriety to facts which are but little known to many of those who are so deeply interested in the issue of this question.—In developing the principles of the Reformation, as far as it was supported by legislative acts, we can have no higher authority than my lord Coke, who will conduct us to the period when he wrote, with the same luminous precision. And here, Sir, I cannot forbear to call the attention of the House to one fact, namely,—that, although some of the strongest legislative provisions against the encroachments of the see of Rome, are to be found in our statutes anterior to the reign of Henry VIII. the efforts of queen Mary to destroy the work of Reformation, were limited to the repeal of those Acts, only, which passed subsequent to the 20th year of the reign of her father, leaving the statutes of *Premunire* and *Provisors*, of *Mortmain*, and every other act of jealous limitation of the Papal influence, in full force. In addition to the aid we may derive from the continuation of the labours of lord Coke, in reference to the latter period, we shall have the assistance of many highly useful compilations of the statutes, as far as they affect the Catholics—those of a profound lawyer, Mr. Butler, sir Henry Parnell, and others, will direct us



to the statutes themselves, both of Great Britain and Ireland, with very little industry on our part, and bring us down to the periods of the latest Acts of extended toleration—those of 1791 and 1793—statutes indeed abounding with anomalies, and which, did there exist no weightier cause for the institution of such a committee as I propose to move, would, in themselves, abundantly supply a motive. We know that both these Acts passed the Houses of Parliament of Great Britain and Ireland with very little discussion—certainly with no adequate discussion. I have often adverted to the monstrous anomaly of leaving the statute of the 13th of Elizabeth in force, which inflicts all the penalties of high treason on the procurers or receivers of any Pontifical bulls or rescripts “written or printed, containing any thing, matter, or cause whatever,” while we hold a toleration of all “the rites, practice, and observance of the Roman Catholic religion:”—a correspondence with the see of Rome in certain cases, we know to be considered, by Catholics, as essential to their religion: we know also that their prelates must receive confirmation by Pontifical instruments. In the *forum internum*, or penitentiary, we likewise know that Catholics hold such a recourse to their spiritual chief as essential to the discipline of their church.—The Bill indeed, on the table, seeks a remedy for this oversight in the Acts of 1791 and 1793, but it seeks it in a mode which I am persuaded would cease to be urged, if we were to go into a committee of investigation: we should then be enabled readily to distinguish, from the documents that would be produced, where to draw the line, with security to the establishment, without violence to the feelings of those professing the Roman communion. The oaths also, as prescribed by those Acts, would necessarily become a subject of inquiry, not only with reference to such parts already noticed as objectionable in the estimation of many Catholics, but in other respects.\* Many other provisions of those Acts, and of the

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\* In the Committee of the House on the 9th of March, sir J. H. in answer to a reference from the Speaker, stated the interpretation which had been given by some Catholics to the last clause of the oath, in the Irish Bill of 1793; namely, “I solemnly swear that I will not exercise any privilege to which I am, or may become entitled to *disturb* and

English Act especially, will be found extremely ill calculated to answer the proposed end, as I so recently noticed on the motion

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*weaken* the Protestant religion and Protestant government in this kingdom."—The construction in a printed note subjoined to the oath, is the following:—"All here are agreed, that to violate the above clause it is necessary to disturb *and* weaken, not only the Protestant religion but *likewise* the Protestant government. They are connected by the conjunction *and*, without any comma after 'religion.' *Both* must be disturbed *and* weakened *not in any manner; but precisely by the exercise of the privileges now granted.*—In other respects, we are in our former situation as to preaching, teaching, writing, &c. 'Weaken' *after* 'disturb,' appears rather an expletive than a word conveying a distinct meaning, for it is implied in 'disturb,' as whoever intends to disturb, *à fortiori*, intends to weaken: hence the expression is generally understood, and so it has been explained by every one consulted on it—'to weaken by disturbance:'—indeed if *or* was between *disturb* and the word *weaken*, as it was proposed to be, the signification would be changed and inadmissible." This note is given, literally, from the printed Act [Coglan, 1793]. Sir J. H. observed in the Committee, that this was a sort of special pleading upon the construction of an oath which ought to have been avoided, and that an oath of so complicated a nature, as that of 1793, ought not to have been proposed:—an oath should be so simple and explicit as not to be open to such subtle distinctions. Sir J. H. observed also, that on the review of these oaths he would ask, whether, when the Catholic priest swears to the disclosure of all traitorous conspiracies, it is not generally understood that if *treason* be disclosed to him in confession, he is bound to reveal it? The Catholic priest in his own honest conception of his duties considers he is not so bound, and in point of fact he is fortified by the *established canonical discipline of the Church of England*, which enjoins the minister of the Church of England to *conceal all crimes revealed to him in confession*:—the only exception, in the canon, being done away, as there is no crime the concealment of which endangers the life of the person concealing it—not even high treason. Sir J. H. then proceeded to details elucidatory of this position. This part of the discussion, which occurred in the Committee of the House on Mr. Grattan's Bill is here repeated, to evince the necessity of investigation as to the subject of the oaths imposed by both the Acts—that of 1791 and 1793.

of my right hon. friend (Mr. Grattan) when I declared, that it was scarcely possible, under the known existing circumstances, that those Acts should be permitted to remain in their present state,—so replete were they with errors and anomalies,—the revision of them, consequently, became a measure of necessity rather than of choice. This revision of the laws bearing upon the Catholics has always been avowed by the friends even of the most limited concession, as of paramount necessity—it was so avowed also by my right hon. friend as the ground of his motion in the present session, and we went into a committee of the whole House for that purpose:—need I ask any gentleman what was done in that committee?—was a single document produced to enlighten our inquiries? I may rather ask did we inquire at all? Assertion was opposed to assertion, but no effort was made to substantiate any allegation by proof, and a triumphant majority in favour of the Bill was deemed conclusive that inquiry was an unnecessary expedient. Still, Sir, I must contend that inquiry is not less necessary, concurrently with the progress of the Bill, and in my own estimation, as I have often contended, no measure should have been taken for the introduction of a Bill, until a detailed report of a Select Committee had gone forth to the public, demonstrating the necessity of further legislation, and the grounds on which that legislation should be maintained: as it is, Sir, the Bill may lie over while the inquiry proceeds.]

The second head of inquiry is—the state and number of the Roman Catholic clergy—their religious institutions, and their intercourse with the see of Rome or other foreign jurisdictions; such as, the heads of monastic orders residing in foreign states.—With the great measure in contemplation, which the Bill of my right hon. friend is framed to effect, a measure involving so wide a departure from our ancient state policy—it is scarcely possible to imagine that this part of the investigation should be deemed superfluous, but, on the contrary, that it must be considered as indispensable. How often have I read, and indeed recently heard within these walls, of the supposed dangerous doctrines contained in the college of Maynooth. I have before adverted to the erroneous opinions and judgment pronounced, in this respect, by the most elevated characters, and I have also observed that the production of the class books of that Seminary

will afford the best test of the truth or error of such opinions : but being produced, as they have been, is it sufficient that they merely lie upon the table of the House?—We have those of the professor De la Hogue, so often and so erroneously quoted as having adopted all the exceptionable canons of the council of Trent, and held them forth as the unerring guides and manual of the priest and student :— it was sufficient to turn to the context of the quoted passage to detect the error of the assertion.\* Can we forget the recent and reiterated pastoral charges of some of the most distinguished Prelates of our church? Charges maintaining that idolatry, and sacrilege, and blasphemy, are inseparable from the tenets of the Roman Church—that dispensing with all oaths of allegiance to a sovereign of a different religious communion, and the deposition of such sovereigns, are also held as tenets obligatory upon Catholics, and consequently disqualify them from exercising any charge, civil or military, in a Protestant state.—Is the effort to bring these allegations to the test, and examine how far they attach upon the doctrines and discipline maintained in their class books, and inculcated in their seminaries, to be held of no estimation or utility?—I cannot, Sir, but think otherwise, and in that conviction must continue to be the advocate of efficient but dispassionate inquiry.

To ascertain the state of the Catholic clergy—that of the episcopal order especially, having so great an influence upon those subjected to their jurisdiction, together with the body of parochial clergy, who have the immediate spiritual direction of so great a mass of the population, should necessarily be an object of such an investigation.—These inquiries have heretofore been made under the authority † of government, nor will it be

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\* The following passage from the professor De la Hogue's *Tractatus de Ecclesiâ* (which was laid before the House on the motion of sir J. Hippisley) was read by the late Chancellor of the Exchequer, "Itaque maximo in pretio illud Concilium (Tridentinum) habere debent omnes Clerici cum ratione Dogmatum sit veluti omnium precedentium synodorum compendium, et ratione disciplinæ merito dici possit Manuale Sacerdotium, vel eorum qui Sacerdotio sunt initiandi." P. 442.

† In the year 1800, immediately preceding the union, the govern-

difficult to fill up the interval that has elapsed, and to bring the whole in view of a committee. Under this head the state of the monastic orders, though greatly reduced, will also become a subject of inquiry. The policy of the chief continental states, Catholic and Protestant, has long since regarded monastic institutions with a scrutinizing eye, and great reforms were consequently made in every part of Europe.—If the prayer of the petitioners were acceded to, with an exception merely to the restrictive clauses which form part of the Bill, we should virtually recognise all these ecclesiastical establishments.—I am not disposed to reject them under due limitation, nor refuse such a retreat to those of either sex, whose zeal is warm enough to dedicate themselves to such ascetic abstraction from the world—but I cannot assent to this with my eyes shut—I would ask, Sir, would you admit processions of monks and friars to parade the streets of the metropolis?—Is the public mind prepared to tolerate such novel exhibitions?—yet this you must be prepared to witness, if you extend the restriction no further than it exists in the present Bill, for I should but little calculate upon the influence of any prudential consideration in restraining the impulse, or even the phrenzy of religious zeal. Thus, Sir, we may also prepare ourselves to witness the procession of the insignia of municipal magistracy to a Catholic chapel instead of the churches of our establishment.\*—However

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ment of Ireland required of the Roman Catholic Prelates, answers to queries of minute detail, in regard to their bishoprics—their emoluments, and from what arising—the dignitaries of their church—their income, and from what arising—the number of parishes and their averaged income—the number of curates and their income—of chapters of religious and their income, and from what arising,—and the returns were made to government. It was in contemplation of an arrangement taking place respecting the Catholics, concurrently with the union, that this information was required—and the same motive may be reasonably allowed to operate at the present hour. The returns which were then made may be called for by a committee, with such additional information as may be deemed advisable to require.

\* Mr. Canning, in reply to this part of Sir J. H.'s speech, read the statute of the 5th Geo. I. c. 4, § 11, incapacitating all persons from

we may be disposed to avoid interference with the religion of the individual magistrate, we are to consider the municipal body, in the construction of the legislature, as an integral branch of the establishment:—but, if unconditional repeal, in the construction of the petitioners, is to be conceded, we must concede all restraints upon the Catholic, civil and ecclesiastical. Of the monastic societies of female institution, we have had a salutary example of restriction afforded us by a regulation of the French parliaments, which, in some of the provinces (I do not recollect whether in all) restricted the profession of females to the age of twenty-five, which was a great step towards averting the chagrin inseparably attendant upon premature or constrained profession. But, Sir, in looking to this part of the subject, before we give a legal countenance to institutions of monastic dedication, it surely behoves us to examine to what extent the concession is to be made. We have the authority even of the greatest Catholic states for the exercise of caution; I may say, generally, of all, and I can produce sufficient proofs, in my possession. Can we, too, look with indifference to the recent proceedings of that once powerful body, the Jesuits—or rather the ex-Jesuits, in reference to their reputed condition in this country, and whose conduct, at the present hour, is regarded with suspicion, and even considered objectionable by the Prelates of their own communion? I am ready to admit the merit of that body of Catholics as far as they are exercised in the secular walk of philosophical and classical instruction—their schools and seminaries have been the most celebrated—and their minds are habituated to the task.—We have such a Seminary, highly protected and deservedly celebrated, in this country; but, in some respects, their zeal has outstripped their discretion, and must endanger, at least ought to endanger, their existence as a

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holding offices “who should resort to any place of religious worship other than the church of England in the gown or particular habit, or attended with the ensigns of his office.” If the unqualified repeal of all restrictions whatever be admitted,—and such is the avowed object of the greater part of the resolutions of the Catholic assemblies of Ireland—this restrictive statute must also be abrogated, as far as it may affect the Catholics.

Seminary of *ecclesiastical* education, if not checked in their efforts to step beyond the pale of their duties.—It pains me, Sir, to speak in these terms of a community comprehending many highly respected ecclesiastics, and, in the bosom of which many of my valuable friends have received their education; but, Sir, I cannot sacrifice a sense of duty to individual partialities when a question of this nature is before the House. I should have preferred indeed to have reserved the statement connected, with this part of the subject, for the consideration of a Select Committee, but such a committee may not be conceded, although I can scarcely offer a stronger ground for the concession than the existence of the facts to which I allude.\* I am speaking in contemplation of the English ex-Jesuits as reviving the original constitution of their order—which, I understand, they are but little solicitous to conceal. The general abolition of the order, by Pope Ganganelli, is well known, but it is not so generally understood, that the Empress of Russia countenanced the reorganization of the society within her dominions, and a General of the Order was appointed, though under marked *restrictions*, which suited the views of her policy.†—It has been

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\* An exception was taken in the course of the debate, that sir J. H. should have chosen this occasion for the communication of these facts to the House respecting the ex-Jesuits, rather than have made it to the King's ministers.—Sir J. H. however intimated, that on the day following the receipt of the most material part of the intelligence, he had communicated the original letters to his Majesty's principal Secretary of State for the Foreign Department, and also to several members of the House.

† The Empress Catherine named the ex-Jesuit Benislasshi, coadjutor bishop of Mohilow.—Father Carew was appointed provincial of the order, and the habit was reassumed and novices admitted. It had been asserted that Pius VI. secretly countenanced the restoration of the order, but to avoid giving offence to the Catholic sovereigns of Europe, in whose states the order had been suppressed, had authorised his nuncios to disavow it; and it is indeed certain that when the news of the appointment of the general of the order arrived at Rome, the Pope directed the publication of an article in a Gazette authorized by the Secretary of State, expressing his disapprobation of the measure in

asserted by some ex-Jesuits that since the election of the present Pontiff, Pius VII. a verbal permission, "*viva vocis oraculo*," has been obtained, from him, for the restoration of the order of Jesuits *within this realm*, and it seems to be generally admitted that the Russian general of the order is acknowledged by the British ex-Jesuits:—if this be the fact,\* here is an instance

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very strong terms, and that "so far from it being authorized by a Pontifical act, it was to be considered null and void, because directly opposed to the declarations of the Pope, and to the intentions evidently manifested by his holiness."

\* [*Additional note*.—Mr. Plowden has repeatedly attempted to eulogize the liberality of Russia, at the expense of his own country, with reference to its conduct towards the Society of Jesuits; and would lead his readers to believe, that the Order enjoys, in Russia, the unrestricted sway of its original institute. It may be here opportune to remark, that the empress *Catherine*, and her successors, as well as the great *Frederick*, were, probably of the opinion of Cardinal Fleury, with particular relation to their new conquests and annexations of territory: that the members of the Society might be regarded as "useful servants, though bad masters;"—and those sovereigns had the will and the power to enforce their restraints. A correspondent,† of great consideration, who had many opportunities to be well acquainted with the spirit of *Catherine's* government, observed, that the empress was well pleased to avail herself of this opportunity to "*narguer*" the Courts of *Versailles* and *Madrid*, and, moreover, to shew to them and the world, that an Institution, which had been so formidable elsewhere, could be rendered perfectly tractable under her superior authority and management. She took the best precaution to secure that tractability, by the *sine quâ non* of the residence of the Jesuit general, a subject, within the state. In Russia, particularly, we know the restrictions which attach, generally, upon the exercise of the Roman Catholic discipline—an interdiction of all unlicensed intercourse with the See of Rome—the direct nomination of the Roman Catholic Prelates in the person of the sovereign, &c. The provident discernment of the empress *Catherine* anticipated the possibility, and legislated against the recurrence of a conflict of authorities.

The Jesuits, it is true, are permitted to open Seminaries of Education, and they are obliged to receive those who offer, under the authority



of that actual dependence upon a foreign jurisdiction, which it is our business to circumscribe at least, if not wholly to interdict. We are, at this hour, on terms of amity with Russia;—within how short a period was it otherwise? But, Sir, this is not all that is objectionable: we find that students in divinity, educated in the English college of ex-Jesuits for the priesthood, are, from time to time, sent to the Jesuits in Sicily, to obtain ordination,\* instead of receiving it at the hands of their own national Prelates; the Prelates, consequently, have, with respect to them, no responsibility; and, in this view, the practice militates against the principle we are seeking to establish by the Bill on the table, namely, by securing the loyalty of the Prelates, who are authorised to exercise their functions within the realm, thence to obtain security also for the loyalty of those

of government, of every nation and communion. The superintendence of their Seminaries is consigned to the State Ministry of Public <sup>Instruction</sup> Inspection; nor can any instruction be given therein, which is not previously approved by that superintending establishment. The Priests of the Greek national church are directed to attend the Jesuit Colleges, and administer religious instruction to the pupils of the Greek communion; and the Jesuits are interdicted from interfering with the religion of such students. Visitations are, from time to time, made by the Officers of Public <sup>Instruction</sup> Inspection, at periods unfixed; that they may be more efficacious; in a word, the system, on the part of the state, is a system of vigilance and restraint. The motives which induced Frederick to retain the Jesuits in Silesia, after the *Papal bull of abolition*, are known to have resulted from the same principles which influenced the measures of the empress Catherine, and the evidence is fully on record.

The Papal rescript of the 7th of Aug. 1814, and which will be found in the Appendix to these pages, by re-establishing the Order in the plenitude of its original Institute, now puts this question beyond a doubt. The Russian General of the Order is also expressly recognised and invested with all the ancient authority of his office.]

\* The number of English and Irish who had been received in Sicily by the ex-Jesuits since their restoration, with a view to obtain holy orders, was nineteen—of these five have returned in orders, two died at Palermo, and nine remained at Palermo in January 1813.

*The Works of the Emperor Alexander the First  
Have published.*

who receive ordination at their hands. I have good authority in stating, that this procedure of seeking *foreign* ordination by the ex-Jesuits, as well as the attempt to reorganize their body, produced an application from certain English Roman Catholic Prelates to the See of Rome for information as to the facts; and it is well understood that the restoration was disavowed by the cardinal Borgia, when at the head of the congregation of *Propaganda Fide*, in his answer to the application of those Prelates. It should also be stated that the Jesuit procurator general, Angelini, was sent from Russia to Rome, during the present pontificate, and, supported by the influence of the queen of Naples, obtained the restoration of the order in Sicily. But, Sir, this spirit of extending an influence thus considered so exceptionable even by Prelates of their own communion, reasoning, as they do, that the restoration of the order must necessarily augment the force of prejudice against the whole Catholic body—this spirit, I say, Sir, is discoverable in another transaction of the present hour, which may well awaken also our further inquiries. On the suppression of the order, the property of the Jesuits was every where considered to be the property of the State, and, as such, assumed by the respective governments, allowing stipends as annuities to those of the professed who survived the abolition.\* No public act of confiscation, of this description, took place in

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\* We may readily suppose that the proceedings against the Jesuits in many parts of Europe were governed by much prejudice,—the influence of that prejudice, nevertheless, has been so permanent and general, that Catholics must have very little discretion, who could wish to revive an establishment of professed Jesuits within a Protestant state. By an Arrêt of the parliament of Paris, of the 6th of August, 1761, more than fifty publications of Jesuit authors were condemned, and burned by the common hangman; among them many of the works of cardinal Bellarmine, Molina, Mariana, Suarez, Tanner, Parsons, Escobar, &c.—The judgment was in these terms—“*Seront lacerés et brûlés, en la cour du Palais, par l'exécuteur de la haute justice, comme séditieux, destructifs de tout principe de la morale Chrétienne, enseignant une doctrine meurtrière et abominable, non seulement contre la sureté de la vie des citoyens, mais même contre celle des personnes sacrées des souverains.*” The list is given in the 1st vol. of Scabra's *Provas da Deducao*, &c.—Lisbon, 1768.

Great Britain or Ireland, for in neither could Jesuits be recognised as then having existence within the realm, in contempt of the penal laws. A considerable sum of money, however, had been secured, by the Jesuits, arising from the wreck of their society, and a sum amounting to about 30,000*l.* has been recently transmitted from hence to Ireland, for the purpose of being appropriated to the uses of a seminary of education.

It is scarcely necessary, Sir, to insist upon the obvious impolicy of countenancing a measure so opposite to the principle which gave birth to the institution of Maynooth, where authority is vested in the great Officers of State, conjointly with the superior Prelates of the Catholic communion, to superintend the establishment. What better appropriation can be made of funds, arising from such a source, than to encrease the means of the College of Maynooth, in providing a nationally educated clergy to administer to the encreased demands of the great Catholic population of Ireland?—the means annually voted by government are known to be inadequate to supply a sufficient number of clergy to answer the reasonable claims of the encreasing population, especially for the service of a Church, wherein the ritual offices are so multiplied, and where the conscientious scruples of those in communion with it, have also a just claim to consideration. I own, Sir, I cannot account for the policy of restricting the means of Maynooth, in the manner we have seen it restricted, as every sound purpose of government is to be obtained, rather by its augmentation than by its reduction.

The third head of inquiry comprehends the state of the laws and regulations affecting his Majesty's Roman Catholic subjects in the Colonies of Great Britain.—His Majesty's instructions to our several governments, together with extracts from the acts of the colonial assemblies, will readily supply the information required under this head. I have, heretofore, adverted to the regulations in Canada, as far as they respected the monastic institutions, and particularly those of the Jesuits, and it is my purpose to move for the production of such parts of the instructions as apply to this subject, in order that they may be referred to a select committee.\*

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\* Sir J. H. on a subsequent day moved for various documents under this head, which have since been printed by order of the House:—His

The fourth, and last subject of inquiry, comprehends the regulations of foreign states (as far as they can be substantiated by evidence), respecting the nomination, collation, or institution of the Episcopal Order of the Roman Catholic Clergy, and also their intercourse with the See of Rome. If this, Sir, be considered as a wide field of inquiry, it must be allowed that it comprehends information of the highest interest and utility with reference to the question before us. But, Sir, to demonstrate how readily that information may be produced in a Committee, I have selected the documents already procured on the subject, and which in themselves are competent to answer every purpose of the inquiry. In fact, Sir, I have brought them to the House—many of them are upon the table, by order of the House, and the whole readily accessible.\* And here, Sir, it is incumbent upon me to inform the House, that a great part of this interesting information has been procured with the concurrence, and, I may add, by the express authority of the noble viscount on the opposite bench—the Secretary for the Foreign Department. I have often adverted to my correspondence with that noble lord, during a considerable period antecedent to the Union, chiefly on the subject of the regulations, which his lordship

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Majesty's instructions to the governors of Canada, particularly referring to the monastic orders and the property of the Jesuits, &c. are among these papers.—Also the instructions to the governor of Jamaica, to shew that colonial governors are vested with the office of ordinary, or ecclesiastical judge, with the collation to church livings—an office held to be incapable of delegation. [Many other papers have since been added.]

\* It will be recollected that the series of documents stated by sir J. H. to be ready for production, was represented, in the course of the debate, to consist of a fanciful series of polemical works, involving an endless labyrinth of pursuit. The fact was, that no such object was in contemplation, but such documents only adduced as contained the ordinances and regulations of foreign states, relating to this head of inquiry, together with the regulations of our colonial governments. The class books had originally been moved for by Mr. Ryder, without any concert with sir J. H.; and Mr. Ryder had also moved the call of the House.

concurrent with me in thinking were of adviseable adoption in contemplation of the arrangements which were then considered to be on the eve of taking place ;—regulations, which, in substance, were countenanced by the precedents of every State upon the Continent, of whatever religious communion, where a dominant religion was upheld by the laws. Conceiving, Sir, that the production of such evidence, in support of these facts, might eventually be of useful resort, especially in such a Committee as is the object of the present motion, I requested of the noble viscount to be supplied with his official introduction to each of our ministers accredited to foreign courts, which might countenance my efforts to procure the verification of such information as I had obtained by less accredited means, and also to supply me with such further documents as could be obtained on the same subject. The noble viscount readily favoured my request, and the result has been the acquisition of many valuable documents, and information of unquestionable authority, extending to the civil and ecclesiastical polity of every state in Europe, in reference to the See of Rome, and in confirmation of the principles I have uniformly maintained to be of indispensable obligation in legislating upon the subject before us. The valuable and extensive information afforded by sir Charles Stuart, his Majesty's Envoy, and a constituent member of the regency of Portugal, I am bound upon this occasion to acknowledge, as, in itself, it nearly comprehends the extent of what was desirable to be ascertained, and supplies the proofs that every Catholic state in Europe has acted upon those principles, and promulgated, at various periods, such ordinances as might be usefully consulted, in framing securities against the encroachments of a foreign jurisdiction. The same mass of information supplies the proofs also, that where, as I have before noticed, the sovereigns themselves, from bigotry or pusillanimity, have shewn but too ready a propensity to bend to the yoke of the Roman Pontiff, a spirited resistance has been manifested by their people, and even by the immediate organs of their governments—such as the French parliaments—ever ready to support the national independence :—such also has been the spirit pretty generally shewn by the states of the German empire. But Austria, and Spain, and Portugal, and Naples,—the states of

Venice, of Florence, of Savoy and Piedmont—in a word, as I have often noticed, every Catholic state has given proofs that they have known how to repel the encroachments of the See of Rome, by interposing such barriers as we now seek to accompany the grant of further concession to the claims of the petitioners. I am the more anxious, Sir, to substantiate these facts by evidence, as the cry of the day on the part of the Catholics, especially in another part of the United Kingdom, and who seem to be but bad supporters of the real interests of the Catholic body—is concession without restriction—“simple repeal” as they term it—unqualified acquiescence in their demands: and a learned prelate of the Roman communion whom I have often had occasion to name, Bishop Milner, who but a few years ago was so forward to arraign such unprecedented pretensions, seems now to be equally forward to support them. It is not necessary to retrace the aberrations of this learned Prelate from the course which he for a time so laudably pursued,—it is sufficient to repel such pretensions by demonstrating that, at no period, is there any precedent that can be truly considered as authority, of collation or institution being given to Prelates of the Roman communion, in the unqualified terms that such Catholics would prescribe:—that there is no example of an intercourse being maintained between the See of Rome and the subjects of any State, whether in communion with Rome or otherwise, where the government of that state—I mean to be understood where there exists any dominant church establishment—does not maintain its right of control over such an intercourse, by the licence and inspection of rescripts at its pleasure:—the *exception* of the *forum internum*, or penitentiary, is to be construed as a concession from the crown, not as an abstract right to be maintained independently of the State.

In proof and illustration of these positions we have the evidence of the most accredited Catholic writers—the luminous ecclesiastical historian Dupin, and most of the class books which prescribe the course of ecclesiastical education: those of the Sorbonists, Hooke, Bailly, Collett, and Tournelly. I mention these, as I before mentioned professor De la Hogue, because those authors are expressly named in the returns to parliament from the president of the College of Maynooth. So I may quote

the German writers Zalwein and Schram—Benedictine monks—whose works have been long sanctioned, as class books, by all the Catholic universities of Germany:—both those authors contend for the right of the sovereign in these points, or for the right of the chapters, as in Germany, where the election of the Prelates is, for the most part, vested in the chapters, independently of the See of Rome.—The latter of those writers,—Schram in his *Institutiones Juris Ecclesiasticæ*, speaking of the ‘*placitum regium*,’ or the right of the sovereign to inspect and authorize the promulgation of Papal rescripts, observes,—“that its use is established in France,—in Spain,—in Portugal,—in the kingdom of Naples and Sicily—the Belgic provinces, and, formerly, in England,—and its necessity was asserted by the Emperor Rodolphus, in an edict of 1586, accompanying the promulgation of the bull *in cænâ domini*, wherein the emperor decrees generally that no Pontifical bulls shall thereafter be committed to execution without his previous knowledge and approbation.”—Father Schram concludes this head, with this observation,—“Nor can we admit that the ‘*placitum*’ is a concession from the apostolical see, for we maintain that it is an *essential and inherent right of sovereignty*, which no individual monarch can surrender to the prejudice of his successor in the state of which he holds the government.”—This, Sir, is the inquisitorial power—“*the Star Chamber*” process so loudly denounced by Bishop Milner, and by assemblies of Catholics in another part of the United Kingdom. Let it, nevertheless, Sir, be our office to act upon the salutary advice which Bishop Milner himself held out to his colleagues in Ireland: let us, by a digested report of a select committee, “enlighten their people, and shew them how grossly they have been imposed upon, both as to facts and reasoning.” Such was the wise counsel given by that Prelate, when the anonymous writers in Ireland first denounced the temperate resolutions of their own Prelates and himself, and unfortunately the same misguided spirit is but too manifest in the recent proceedings of many provincial assemblies in opposition to the sound principles and authority upheld in every other State.

Sir J. H. then detailed the resolutions of the four metropolitans and six senior Roman Catholic Bishops of Ireland in 1799, in

consequence of their official communications with lord Castle-reagh,\* then chief secretary, and which corresponded precisely with the concessions which Bishop Milner in 1808 declared he had no hesitation to say, that the Prelates were still disposed to ratify:—the substance of those resolutions, as had been asserted by the noble viscount, was not imposed by government on the Prelates, but resulted from their own spontaneous act;—and, that to the present hour, by no solemn or formal declaration had the Prelates controverted the principle thus solemnly admitted: that it was impossible, for a moment, seriously to entertain the distinction of “inexpediency” in the view of the Irish Catholic Prelates, as applicable to the principle of that admission: and that they could scarcely suppose that the concession was to be maintained or withdrawn, *ad libitum*, according to their construction of “*a friendly or unfriendly administration*,” though upon this hinge alone it was, that the question of expediency or inexpediency was made to turn.—Sir J. H. then proceeded to state, that he was ever averse from treating with the Prelates upon these points, as there would always be found persons who were ready to give a sinister construction to their admissions, and to refer their motives, as had been done, to a timid, and even a corrupt acquiescence in the mandates or wishes of a court:—it was sufficient to ascertain the boundaries of the essential discipline of the Roman church, and it was unnecessary to overstep them, or to resort to the Prelates to obtain that information:—nor was it necessary to exercise the imagination in devising novel Securities, as we had only to look to authentic precedents—to precedents established even by Catholic States, and practically adopted by Protestant governments. The regulations which he had so often noticed, contained in the Edict of the Empress Catherine in 1782, were but the transcripts of ordinances subsisting in many Catholic States. Such too were the regulations of Prussia—of the states of the United Provinces—of Sweden, &c. But to satisfy the minds of Catholics as well as Protestants on this head, it was only necessary to advert to the works he had already mentioned, of authors whose orthodoxy, as Catholics,

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\* [These resolutions are since printed, by order of the House of Commons.]



could not justly be questioned, as they had been sanctioned by the first ecclesiastical and juridical authorities.—The *Tentamen Theologicum* of Pereira—a Divine and Royal Censor of the Court of Lisbon—the “*Deduccao Chronologica*” of the jurist Seabra\*

\* Many extracts from these publications of Seabra and Pereira will be found in sir J. H.’s second Letter to the earl of Fingall— [Murray, 1813.] It has been observed that these works were compiled under the influence of a court violently opposed to the Jesuits:—let the objection have all its weight, but let the documents of regulation also be adverted to in the same works, which were promulgated in *other States*, and which are not less decisive in support of the same principles, than the edicts of the court of Portugal at the period of the abolition of the order of Jesuits.—In the Appendix of documents annexed to the Speech of an illustrious personage, in the course of the last session, we find copious extracts from the works both of Seabra and Pereira. “I have heard it stated (said his Royal Highness in his speech) that this was not the moment for granting what they ask: my answer is—**THAT WITHOUT LIMITATION**, which can only be taken into consideration *when we go into a committee*—**CERTAINLY NOT.**” His Royal Highness proceeds to state facts which are well to bear in memory, as the speech has been so often the subject of grateful panegyric in assemblies, which almost in the same breath have voted resolutions *diametrically opposed* to the sentiments and facts recorded in the speech itself.—The avowal of subjection to the Emperor Mauritius by Pope Gregory: the admonition of St. Bernard to Pope Eugenius not to interfere in temporal concerns:—the oaths of fidelity taken by Popes to the Emperors, cited by Charlemagne:—the abolition of all Papal authority in Spain by Charles V. when Pope Clement VII. made a league with Francis I: the fact of queen Mary, who, in repealing the latter statutes of Henry VIII. applied the pointed safeguard, that the Pope’s bulls and briefs were merely to be confined to spirituals.—Such are the facts stated by his Royal Highness, in this speech, and the documents in the Appendix go further to prove that sovereigns have taken upon themselves to become the paramount judges of their rights, and have exercised them at their discretion, authorizing *an unlimited ecclesiastical jurisdiction in the persons of their metropolitans, without recourse to the See of Rome*, whenever Popes have been in declared hostility to them—or have been inaccessible from other causes, or when a schism has prevailed in the church. Where are to be traced,

might be added, as well as the succession of theses uniformly maintained in the universities of Coimbra, and the Sorbonne, all which inculcate the soundness of the principle contended for—namely,—*domestic security from foreign encroachment*: To effect this end, all those regulations have been invariably sanctioned by foreign states, and are no other than what sir J. H. said, he had often proposed as the basis of regulation at home, and the principles of which, in fact, are recognised in the draft of the additional clauses now engrafted on the Bill before the House, though hampered with qualifications, which, in his judgment, rendered them of objectionable, if not of impracticable operation. Those which the wisdom and policy of other states had adopted were simple and unfettered—they were rooted in the indefeasible rights of the crown as the guardian of the state, and were not to be weakened by clamour or bigotry. The member of the establishment who entertained doubts upon this subject, would find them satisfied by resorting to the tract, already cited, of lord chief-justice Coke—‘*de Jure Regis Ecclesiastico*,’ in the 5th Report—and also in the tracts of archbishop Bramhall, particularly in that entitled ‘*Schism guarded*’ printed at Dublin, in 1675,—the regulations so often adverted to are therein detailed, and asserted to be sanctioned by the practice of every considerable State of Europe. The same facts are recognized in an interesting work first printed in 1704, entitled ‘*A Proposal for Catholic Communion*,’ and recently reprinted: it is stated to be written by a minister of the church of England—but it is well known to have been written by Dr. Brett, who afterwards became a Catholic; consequently the work derives an additional authority from that circumstance, as the rights of the sovereign are strenuously maintained in all the essential points which are now at issue in this question.

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in these authorities, the sanction of a *de jure* unqualified concession? But is endless to advert to the inconsistencies of such vague declaimers, with whom there can be felt no common principle of accord, except in the manifestation of respect for the illustrious personage, who has guarded a speech of so much ability and information, with such high and apposite authorities of wholesome precedent.

With such lights in our hands, (continued sir J. H.) it surely is not difficult to direct our steps to ultimate and equitable legislation, although in contending for a negative upon the appointments of the Roman Catholic prelacy—a principle conceded as equitable, by the most elevated and ancient of the Roman Catholic Prelates—we find it resisted, with clamour, by those who have taken upon themselves to become the arbiters of the will of the Catholic population of Ireland. The King, it is well known, has exercised even the direct appointment, through the organs of the governors of our colonies, where the Roman Catholic episcopacy has been recognized: no objections were then taken to this exercise of his authority—the See of Rome has invariably expedited the spiritual faculties of institution demanded in consequence of such nominations: I have heretofore stated an instance where these were withheld by the See of Rome, at the desire of the crown, to give time for further consideration of the eligibility of a candidate—Canada, St. Domingo, and Malta furnish the examples—and the King's instructions, and correspondence of his governors, will supply the official proofs and details. We can recur to the joy expressed by the Canadian Catholics on his Majesty's appointment of M. de Briaud to the see of Quebec: in addition to the official correspondence announcing it, the account is given in the Chronicle of the Annual Register, and every Roman Catholic Bishop and coadjutor has since been appointed by the same authority.

Such are the facts, Sir, that I wish to see recorded on the report of a select committee. I have sketched the outlines of the four heads of inquiry to which I am desirous to call the attention of the House, and I should hope that it is unnecessary to insist much farther, on the utility of such a report going forth to the public under the authority of parliament,—thus opposing uncontrovertible facts to the idle declamation and unfounded assertions which we read, from day to day, in the public prints,—the results of ignorance, or of something less pardonable, but, which operating upon the uninformed public mind, are capable of disquieting many conscientious Catholics, and ultimately to lead many turbulent spirits to acts of open violence. By urging such a measure, I am told, Sir, that I seek delay, and that delay may be injurious to the Bill now on your table:—I seek, Sir,

adequate information—and for the benefit of the uninformed, of whatever religious communion, my object is to see it embodied in the report of a select committee.—In avowing my purpose, I wish to ask of the candour of the House whether I have not been uniform in my declarations. I need only advert to the detailed statement of the objects of such a committee which I pressed upon the attention of the House in the debate on the motion of my right hon. friend two years since—at a period when I was honoured with the confidence of a large proportion of the English Catholics, and was induced, at the instance of a deputation of that body, of the highest consideration, to become the advocate of their claims in parliament. Differing in opinion with some of them as to the mode and extent of concession, I have since thought it my duty to withdraw myself from that responsibility, but they will do me the justice to own that I have never swerved a tittle from my original view of the subject, nor held a different language than that which I hold at the present moment. In speaking to the motion of my right hon. friend, at that period, I made use of the same arguments, and had recourse to many of the facts which I have stated this night. I then urged that I considered the circulation of such a report, *in the interval of the sessions*, as an indispensable measure—and that I trusted that a similar Committee would be constituted in another place, with the assistance of the Prelates of the Establishment, who necessarily ought to take a material part in such an investigation. The differences of opinion among the Roman Catholic Prelates themselves, I then urged as a further motive to such an investigation—not, Sir, from a fondness of polemics, but to ascertain the facts, on which they were at issue, and how far they were cognizable by municipal regulation.—Those differences, at any rate, confirmed the soundness of the opinion I had ever entertained that negotiation with the Prelates, in the view to a satisfactory adjustment, could be but of little promise. The answers of the six Universities, recognizing the integrity of the social, civil, and political principles of Catholics,—as Catholics, and as subjects of a Protestant state—I then also noticed would become an important subject of examination, as far as respected the authority by which they were substantiated, especially after the doubts expressed by a right hon. and learned member (Dr. Duiganan) as

to their authenticity.—It will be recollected that I then produced the *original documents* in the House, and suggested the utility of recognizing them, when verified, in the report of a select committee, together with similar documents of different periods, but of perfect uniformity as to the paramount obligation of civil and political duties. Such, Sir, was my declaration at that period, with an intimation also that the adoption, qualification, or even rejection of the claims of the petitioners would thus derive a sanction—if in conformity to evidence—not to be found in the result of loose discussions, whether in the House itself, or in a Committee of the whole House—and that the expedient was too rational to be questioned by any but those who were determined to resist inquiry in any shape whatever. I now think it fortunate, Sir, that these declarations remain on record, where they will bear me out by their uniformity with the opinions which I have this night avowed, and which have influenced me to submit my present motion to the judgment of the House. It has been my object, attended with no inconsiderable labour, to simplify these inquiries, and to render the production of the necessary evidence as light to others, as the collection of it has been onerous to myself. I have said, Sir, that there now lies upon the table and in my possession, all that is essentially necessary to accomplish the object of such an investigation, though it may be desirable officially to verify some of the Papers by recourse to the public offices, and *vivâ voce* evidence.\* Such testimony, indeed, I am myself competent to give in support of a great part of the necessary information, derived under peculiar advantages, to which I have frequently adverted. In differing in opinion with so many of my friends with whom I have long run the same course, I must necessarily feel much regret; but as I am conscious, in no respect, of swerving from the uniformity and consistency of my original principles, I must be content to bear with their re-

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\* The official intercourse between lord Castlereagh and the Irish Catholic bishops in 1799 is clearly stated, and some of the documents are subjoined to the speech of the noble viscount on the 25th of May, 1810: His lordship's evidence, in a Committee, to verify the facts before they were stated in a report, would be of necessary recourse.

proaches, rather than sacrifice my feelings to participate in the momentary triumph of a possible majority, which may be ready to sanction concession without such an inquiry. But, Sir, fixed as I am in my own opinions, I am yet wholly unapprised of the intention of any individual member to second the motion I have stated to the House. An honourable friend near me, some time since, intimated an inclination to render me that service, and if high personal character and intelligence could have given additional weight to the object of such a motion, I should have had an unquestionable right to have claimed it, had I been so fortunate as to have had his concurrence; but, Sir, I am to forego that advantage; my honourable friend thinks that the motion should have been earlier made, so as not to have risked, in his estimation, the progress of the Bill now before the House. I will not arraign his motives for declining his proffer'd support; I own, nevertheless, that I have been anxious to delay the inquiry till the call took place, wishing to submit it for discussion in the fullest House. I have invariably proposed to report the evidence taken in a select committee for the purpose of affording the most satisfactory information to the public, before we proceeded to legislation—and even considered that the interval of the sessions was little enough to allow that information to take its full course. If I fail this night in my object,\* I shall nevertheless think it my duty to revive the motion, in the same terms, in the ensuing session, in the conviction that such an inquiry is essential to give effect to the memorable resolution of the last parliament. Its object is not the object of a party; and the advocate and opposer of the claims of the Catholics may equally give their support to the motion,—each in the persuasion that

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\* Such was Sir J. H's intention until the commencement of the following year, when he addressed the noble viscount, who among his Majesty's confidential ministers had taken the most prominent part in these discussions, stating the motives for abandoning that purpose, at the same time wishing not to appear to shrink from any service or labour connected with such an investigation, in the conviction, however, that the weight of his Majesty's Government could alone give such an inquiry a substantial and adequate effect.

his own opinion will be sustained by the results of the inquiry. On whichever side the weight of evidence lies, it should be our object to develop it. To secure the proceedings of the Committee from any embarrassing results—by a conflict of opinions—its duties should be limited (as indeed it would necessarily be, unless further authorized by the House) to the report of facts and evidence submitted to them; namely, the authenticated documents in support of the distinct heads of inquiry which are enumerated in the motion, and which, I conceive, must be admitted to bear an interesting and important relation to the ultimate object of our deliberations. Let us, Sir, call to our recollection how seriously some of the most eminent Prelates of the establishment are at issue, even on facts, as well as opinions, materially affecting the civil integrity of so large a portion of their fellow-subjects,—amounting, as often stated, to a fourth or fifth part of the whole population of the United Kingdom.—Can we forget their parliamentary speeches, and diocesan charges so pointedly contrasted to each other? What, Sir, is to determine the public mind,—so uninformed as it is—but the result of such an inquiry?—Let us look, Sir, at the publications daily issuing from the press,—representations circulated through the channel of the post also, addressed to the members of this House, with a view to influence the decision of the question, and even the very walls of our streets defaced with calumnies. And here, Sir, I think it my duty to say a few words in reference to a paper circulated under the name of Crowley, stating himself to have been a student of Maynooth, and to have abjured the Catholic religion,—disavowing and denouncing all its tenets;—also, particularizing tenets which the established church hold in equal veneration with the church of Rome, as identified with its existence. The power of the keys is of this description, though abjured *in its extent*, by this zealous reformist!—The church of England has little cause to pride itself on the acquisition of such converts, and the church of Rome has little to regret its loss. Looking also, Sir, on the other side of the question, to the proceedings of aggregate and provincial assemblies of Catholics;—to the Resolutions of their episcopal synods;—to the declarations of the avowed agent of their Prelates;—circulated as they have been in the public prints, and not without considerable impres-

sion on the public mind;—when we view, Sir, the reprobating comments of this learned prelatial agent, on the pending proceedings of this House, and consider also, as before stated, that he presides over the Catholic population of fifteen English counties, I would ask, shall we proceed without inquiry, indulging the vain hope of pacification by giving legislative enactment to the Bill before the House, while its most essential provisions are thus reprobated, and while we are told by Catholics themselves, that the re-enactment of the penal laws would, in their estimation, be more eligible than the chains with which we are about to bind them? It is not, Sir, that our progress is to be thus peremptorily arrested by such vague and ill-founded clamour; but, I contend, Sir, that inquiry—minute, substantive inquiry, is enjoined upon us as a duty, whether we proceed to legislation, or withhold, for a time, our purpose. We are in candour bound to designate the ground on which we would fix our barriers, and demonstrate to the Catholic and the Protestant, that we wish to consult the fair feelings and even the allowable prejudices of both, respecting alike their conscientious scruples and their security. The Catholic has already gained much by the cursory discussions of his claims in parliament. It is well known that a noble earl, who bears great sway in his Majesty's councils, has avowed that the question has been *much narrowed* by discussion, and that none of those obnoxious tenets were in his estimation, imputable to Catholics, for which they are stigmatized by the voice of popular prejudice. If the Catholic conceives that it is prejudice alone which opposes the accomplishment of his object, it is for him, at any rate, to invite the minutest inquiry: the obstacles which remain may be found to exist rather in the apprehension, than in reality; by inquiry we shall command a knowledge of their substance and bearings—our path would be comparatively smooth—we should no longer have occasion to shift our ground, nor to shape our course in deference to popular prejudices, but disregard them in whatever order of the people they might be excited. We have only to look back to the course we have already pursued to satisfy ourselves that much is yet wanting to insure the steadiness, and mark the dignity of our proceedings. In one session we contend for concession, regulated by the *Veto* of the crown:—we are



then told that the mass of Catholics are determined to resist this measure which their Bishops had assured us "was just, and ought to be acceded to:"—in the next session we bend to the popular feeling of the Irish Catholic and take the ground of *domestic nomination* as the sure bond of peace.—The Catholic Prelates meet in synod, and they resolve that this popular *desideratum* borders on schism, and that the "idea of making the election of Bishops national, by confining the election to chapters, or to chapters and metropolitans, would subject their religion to the most serious disadvantages."—Here, Sir, we see the Prelates are at issue with the great mass of their own clergy, and both orders are at issue with Parliament. I own, Sir, I cannot feel the force of these apprehensions of the Prelates respecting domestic nomination by chapters, and still less can I admit the inference, "that such elections, by chapters, would most probably, lapse into the sole and positive appointment of the Crown."\*—I should reason very differently, and were it necessary to interfere in those details of their discipline,—but to which interference I am averse,—I certainly should feel myself disposed to countenance the elections of the prelacy by Chapters, subject to the approval of the crown, as the most congenial with the objects, which both Catholics and Protestants might rationally propose to themselves in the ultimate adjustment of this great question.

But, Sir, to return to our parliamentary course—foiled in both these propositions, so far, at least, as being obliged to abandon the pleasing anticipation of gratifying the fair feelings of the Catholic—it is next proposed to support *unrestricted concession*—for such, in fact, was the tendency of the arguments of the principal advocates of the claims of the Catholics in the last session of parliament. In the present session, the Bill, as originally introduced, has evidently the same tendency—restrictions were afterwards suggested by a right hon. member;—then withdrawn and modified,—and at length, incorporated with the Bill, though opposed to the opinions of many who support it. I would ask, Sir, had the whole subject been before us, in the digested report of a select committee, is it probable that such would have been our

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\* Resolutions of the Roman Catholic Prelates of Ireland assembled at Dublin, February 26th, 1810.

course? I think otherwise—for we should have readily distinguished the line of demarkation—how far to proceed without trenching on the *essential* discipline of the Catholic, and by what means to give rational and substantial security to the Protestant:—we should have found that both the objects were strictly compatible, and have regulated our progress, not by popular clamour, from whatever side proceeding, but by the prescriptive sound authorities of other States, as zealous to maintain their civil and religious freedom, as our own. I could say much on the subject of the oaths already prescribed, and that which is again proposed.—In answer to a call from great authority in this House,\* on a former occasion, I stated the interpretation of an essential part of the oath of 1793, as held by many Catholics, though, as I conceive, but little according with the construction and opinion of the House. I will not, at present, go further into this part of the question, though most essential to be distinctly understood, and I certainly shall think it incumbent upon me to move an amendment of the oath whenever it comes in discussion, before us. After trespassing upon the House, at such length, I necessarily must feel a due sense of their indulgence, although from the murmurs I have heard near me, I cannot but express my fears, with my regrets, that I shall be deprived of the support of so many of those with whom I have been accustomed to act, on many former occasions, with an unity of sentiment in the discussions of this great national question. Reserving myself, Sir, for any further observations which I may think it necessary to make upon what may occur in the course of the debate, I shall conclude by moving, “That a select committee be appointed to examine and report the state of the laws affecting his Majesty’s Roman Catholic subjects, within the realm:—the state and number of the Roman Catholic clergy, their religious institutions, and their intercourse with the See of Rome, or other foreign jurisdictions:—the state of the laws and regulations affecting his Majesty’s Roman Catholic subjects in the several colonies of the United Kingdom:—the regulations of foreign states

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\* Vide sir J. H.’s observations on the oaths, in reply to a reference made to him by the Speaker in the committee of the House. Hansard’s Parliamentary Debates, vol. 24, p. 1223.

(as far as they can be substantiated by evidence\*) respecting the nomination, collation, or institution of the episcopal order of the Roman Catholic clergy, and the regulations of their intercourse with the See of Rome.”

The right hon. Richard Ryder seconded the motion.

After a debate, Mr. Grattan moved an amendment for proceeding to the order of the day for the second reading of his Bill. On a division,—

For the amendment, including Tellers, 237	} Majority 48
For Sir J. H.'s original motion, - 189	

On the 24th of May, in a Committee on Mr. Grattan's Bill—

For the first Clause, - - -	249	} Majority 4
Against it, - - - - -	253	

The Bill was then withdrawn.

\* Various official papers have since been produced, on the several motions of sir J. H. and printed by order of the House, containing the regulations respecting the Roman Catholic clergy, in several states of Europe, and in the province of Canada, &c.—particularly as to the exercise of a controlling power to regulate the intromission of pontifical rescripts, the resolutions of the Irish Prelates in 1799, &c. &c.

To the report in *Hansard's Parliamentary Debates*, vol. xxvi. the following Note was annexed:—

“The Editor is requested by sir J. H. to subjoin the following note, received with the corrections of the preceding report:

“The notes of the preceding report of sir J. H.'s speech, were originally taken, in short-hand, by Mr. Farquharson (whose ability is well known), as it was then proposed to have given it to the public in a detached form:—the misrepresentation of the object of the motion was so general and predetermined, that such a course seemed advisable, especially as the object involved considerations of the deepest interest. The variation from Mr. Farquharson's report has been chiefly in transposition, to bring the subject more distinctly in view. No fact has been suppressed, or superadded. If the concession of a Select Committee might involve delay as affecting the progress of Mr. Grattan's Bill, it must be recollected that, in Mr. Canning's view of the subject, on the 2d of March, preceding,—the Bill, as was stated by him, *might advantageously stand over to the following session of parliament, after it had attained the length of a second reading.* Mr. Plunkett's opinions were also declaredly in favour of qualified, and, in some respects, of protracted legislation. It is scarcely necessary to

insist upon the advantage to have been obtained from the circulation of such a report, as was proposed by sir J. H.'s motion, in preference to the mere copy of a Bill, with the proposed restrictions, unsupported by any authority or precedent to relieve the apprehensions of the uninformed and misguided public, whether Protestant or Catholic. But for a moment let us admit that the Bill had passed into a law:—how little would it have produced that spirit of conciliation, so warmly contended for by the advocates of the Bill. Let us advert to the resolutions of the Catholic Board, and of the aggregate and provincial meetings of Catholics in Ireland:—to the synodical resolutions of their prelacy—all diffusely circulated through the public prints—“No restriction”—“No security”—“No concession”—“Simple, unqualified repeal”—these were the conditions of submission pronounced in all these assemblies, and accompanied with terms of the strongest reprobation of the conduct of these public men, who fall short of these conditions, in their estimate of the measure of concession. The recorded language in condemnation of the Bill, in its progress in the House, held by a Roman Catholic Prelate, accredited as the agent and organ of the body of the whole Catholic Prelacy of Ireland, and himself an apostolic vicar, in England,—has been adverted to in the preceding pages:—we know that his efforts to defeat the Bill have been sanctioned by the unanimous suffrage and grateful acknowledgements, not only of his immediate constituents, but likewise of the Catholic Board and aggregate and provincial meetings in Ireland. Such then is the predominant feeling of the Catholic body, as far as can be collected from the voice of those assemblies, with respect to the Bill,—and we find no contrasted voice to raise a doubt respecting the generality of that feeling. By an extended circulation of a report of such documents and evidence, as might have been recognized by the authority of parliament,—the uninformed or misguided Catholic might have been instructed that the essentials of his religion were not compromised in a question of legitimate jurisdiction;—and the apprehensions of the candid Protestant might likewise have been relieved, in the contemplation of securities, sanctioned by the soundest precedents of civil polity, enabling him, in the spirit of one of the most enlightened Protestant divines (Archbishop Bramhall), to distinguish between the *tenets and essential discipline of the Church of Rome and the usurpations of the Roman Curia.*”

FINIS.

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J. Brettell, Printer, Rupert Street, Haymarket, London.

In the last Session of Parliament 1816 Sir J. C. 4 at the instance of Vice Lord Castlereagh, moved this motion for a Select Committee, which was carried

*Manuscripts*  
**THE BULLS**

OF

**POPES CLEMENT XIV. AND PIUS VII.**

FOR THE

**SUPPRESSION AND RE-ESTABLISHMENT**

OF

**The Order of Jesuits.**

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20100118  
Of the two following ~~Bulls~~, the Latin version of that of Pius VII. is taken from an authorized copy, printed at the Government Press of Florence; the English translation, from "The Orthodox Journal, or Catholic Monthly Intelligencer," for September 1814. The translation of that of Clement XIV. is copied from "The London Chronicle" of the 18th, 19th, 20th, and 21st of September, 1773; though, from the length of the document, it was not thought advisable to add the original Latin, which has been lately received from Florence.

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# BULL OF POPE PIUS VII.

FOR THE  
RESTORATION OF THE ORDER OF JESUITS.

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SANCTISSIMI IN CHRISTO PATRIS, ET DOMINI NOSTRI DOMINI  
PII DIVINA PROVIDENTIA PAPÆ SEPTIMI CONSTITUTIO QUA  
SOCIETAS JESU IN STATUM PRISTINUM IN UNIVERSO ORBE  
CATHOLICO RESTITUITUR. ROMÆ MDCCCXIV. APUD FRAN-  
CISCUM, ET FELICEM LAZZARINI. FLORENTIÆ TYPIS RE-  
GIÆ CELSITUDINIS SUPERIORIBUS ANNUENTIBUS.

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PIUS EPISCOPUS SERVUS SERVORUM DEI

AD PERPETUAM REI MEMORIAM.

“ SOLLICITUDO omnium Ecclesiarum humilitati Nostræ, meritis  
“ licet et viribus impari, Deo sic disponente concredita, Nos  
“ cogit omnia illa subsidia adhibere, quæ in Nostra sunt potestate,  
“ quæque a Divina Providentia Nobis misericorditer subminis-  
“ trantur, ut Spiritualibus Christiani Orbis necessitatibus, quan-  
“ tum quidem diversæ, multiplicesque temporum, Locorumque  
“ vicissitudines ferunt, nullo Populorum, et Nationum habito  
“ discrimine, opportune subveniamus.

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## BULL

FOR THE RE-ESTABLISHMENT OF THE JESUITS.

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PIUS, BISHOP, SERVANT OF THE SERVANTS OF GOD.

(AD PERPETUAM REI MEMORIAM.)

“ THE care of all the churches confided to our humility by the  
“ Divine will, notwithstanding the lowness of our deserts and  
“ abilities, makes it our duty to employ all the aids in our power,  
“ and which are furnished to us by the mercy of Divine Provi-  
“ dence, in order that we may be able, as far as the changes of  
“ times and places will allow, to relieve the spiritual wants of the  
“ Catholic world, without any distinction of people and nations.

“ Hujus Nostri Pastoralis Officii oneri satisfacere cupientes  
 “ statim ac tunc in vivis agens Franciscus Kareu, et alii Sæcu-  
 “ lares Presbyteri a pluribus Annis in amplissimo Russiaco Im-  
 “ perio existentes, et olim addicti Societati Jesu a felicitis recorda-  
 “ tionis Clemente XIV. Prædecessore Nostro suppressæ, preces  
 “ Nobis obtulerunt, quibus facultatem sibi fieri supplicabant, ut  
 “ Auctoritate Nostra in unum Corpus coalescerent, quo facilius  
 “ Juventuti Fide rudimentis erudiendæ, et bonis moribus im-  
 “ buendæ ex proprii Instituti ratione operam darent, munus  
 “ prædicationis obirent, Confessionibus excipiendis incumbere-  
 “ et alia Sacramenta administrarent: eorum precibus eo libentius  
 “ annuendum Nobis esse duximus, quod Imperator Paulus  
 “ Primus tunc temporis Regnans eosdem Presbyteros impense  
 “ Nobis commendavisset humanissimis Litteris suis die undecima  
 “ Augusti Anni Domini Millesimi Octingentesimi ad Nos datis,  
 “ quibus singularem suam erga ipsos benevolentiam significans  
 “ gratum sibi fore declarabat, si Catholicorum Imperii sui bono  
 “ Societas Jesu Auctoritate Nostra ibidem constitueretur.

“ Quapropter Nos attento animo perpendentes quam ingentes  
 “ utilitates in amplissimas illas Regiones, Evangelicis Operariis  
 “ propemodum destitutas, essent proventuræ, quantumque incre-

“ Wishing to fulfil this duty of our Apostolic Ministry, as  
 “ soon as Francis Kareu (then living) and other secular Priests  
 “ resident for many years in the vast empire of Russia, and who  
 “ had been members of the Company of Jesus, suppressed by  
 “ Clement XIV. of happy memory, had supplicated our permis-  
 “ sion to unite in a body, for the purpose of being able to apply  
 “ themselves more easily, in conformity with their Institution, to  
 “ the instruction of youth in religion and good morals, to devote  
 “ themselves to preaching, to confession, and the administration  
 “ of the other sacraments, we felt it our duty more willingly to  
 “ comply with their prayer, inasmuch as the then reigning  
 “ Emperor Paul I. had recommended the said Priests in his  
 “ gracious dispatch, dated the 11th of August, 1800, in which,  
 “ after setting forth his special regard for them, he declared to us  
 “ that it would be agreeable to him, to see the Company of Jesus  
 “ established in his empire, under our authority: and we, on our  
 “ side, considering attentively the great advantages which these  
 “ vast regions might thence derive; considering how useful those



" mentum ejusmodi Ecclesiastici Viri, quorum probati mores  
 " tantis laudum præconiis commendabantur, assiduo labore,  
 " intenso salutis Animarum procurandæ studio, et indefessa  
 " Verbi Divini prædicatione Catholicæ Religioni essent allaturi,  
 " tanti tamque benefici Principis votis obsecundare rationi con-  
 " sentaneum existimavimus. Nostris itaque in formâ Brevis  
 " Litteris datis die septima Martii Anni Domini Millesimi Octin-  
 " gesimi primi prædicto Francisco Kareu, aliisque ejus Sodalibus  
 " in Russiaco Imperio degentibus, aut qui aliunde illuc se  
 " conferre possent, facultatem concessimus, ut in unum Corpus  
 " seu Congregationem societatis Jesu conjungi, uniriue liberum  
 " ipsis esset, in una vel pluribus domibus arbitrio Superioris, intra  
 " fines dumtaxat Imperii Russiaci designandis; atque ejus Con-  
 " gregationis Præpositum Generalem eundem Presbyterum  
 " Franciscum Kareu ad Nostrum, et Sedis Apostolicæ beneplacitum  
 " deputavimus cum facultatibus necessariis et opportunis, ut  
 " Sancti Ignatii de Loyola Regulam a felicitis recordationis Paulo  
 " Tertio Prædecessore Nostro Apostolicis suis Constitutionibus  
 " approbatam, et confirmatam retinerent et sequerentur: atque ut  
 " hoc pacto Socii in uno Religioso Cœtu congregati Juventuti Re-  
 " ligioni, ac bonis Artibus imbuendæ operam dare, Seminaria, et  
 " Collegia regere, et probantibus ac consentientibus Locorum

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" ecclesiastics, whose morals and doctrine were equally tried,  
 " would be to the Catholic religion, thought fit to second the wish  
 " of so great and beneficent a Prince.

" In consequence, by our Brief, dated the 7th of March, 1801,  
 " we granted to the said Francis Kareu, and his Colleagues re-  
 " siding in Russia, or who should repair thither from other  
 " countries, power to form themselves into a body or congregation  
 " of the Company of Jesus: they are at liberty to unite in one or  
 " more houses to be pointed out by their Superior, provided these  
 " houses are situated within the Russian Empire. We named the said  
 " Francis Kareu general of the said congregation; we authorized  
 " them to resume and follow the rule of St. Ignatius of Loyola,  
 " approved and confirmed by the constitutions of Paul III. our  
 " predecessor, of happy memory, in order that the companions,  
 " in a religious union, might freely engage in the instruction  
 " of youth in religion and good letters, direct seminaries and col-  
 " leges, and with the consent of the Ordinary, confess, preach the

“ Ordinariis Confessiones excipere, Verbum Dei annunciare, et  
 “ Sacramenta administrare libere possent; et Congregationem  
 “ Societatis Jesu sub Nostra et Apostolicæ Sedis immediata  
 “ tutela, et subjectione recepimus, et quæ ad illam firmandam et  
 “ comuniendam, atque ab abusibus et corruptelis, quæ forte  
 “ irrepsissent, repurgandam visum fuisset in Domino expedire,  
 “ Nobis ac Successoribus Nostris præscribenda et sancienda reser-  
 “ vavimus: atque ad hunc effectum Constitutionibus Apostolicis,  
 “ Statutis, consuetudinibus, privilegiis, et Indultis quomodolibet  
 “ in contrarium præmissorum concessis, et confirmatis, præsertim  
 “ Litteris Apostolicis memorati Clementis XIV. Prædecessoris  
 “ Nostri incipientibus *Dominus, ac Redemptor Noster* expresse  
 “ derogavimus in iis tantum quæ contraria essent dictis Nostris in  
 “ forma Brevis Litteris, quarum initium *Catholicæ* et dumtaxat  
 “ pro Russiaco Imperio elargitis.  
 “ Consilia, quæ pro Imperio Russiaco capienda decrevimus, ad  
 “ utriusque Siciliæ Regnum non ita multo post extendenda cen-  
 “ suimus ad preces Charissimi in Christo Filii Nostri Ferdinandi  
 “ Regis, qui a Nobis postulavit, ut Societas Jesu eo modo, quo in  
 “ præfato Imperio stabilita a Nobis fuerat, in sua quoque

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“ word of God, and administer the sacraments.—By the same  
 “ Brief we received the congregation of the Company of Jesus  
 “ under our immediate protection and dependence, reserving to  
 “ ourselves and our successors the prescription of every thing that  
 “ might appear to us proper to consolidate, to defend it, and to  
 “ purge it from the abuses and corruption that might be therein  
 “ introduced; and for this purpose we expressly abrogated such  
 “ apostolical constitutions, statutes, privileges, and indulgences  
 “ granted in contradiction to these concessions, especially the  
 “ apostolic letters of Clement XIV. our predecessor, which begin  
 “ with the words, *Dominus ac Redemptor noster*, only in so far as  
 “ they are contrary to our Brief, beginning *Catholicæ*, and which  
 “ was given only for the Russian empire.

“ A short time after we had ordained the restoration of the  
 “ order of Jesuits in Russia, we thought it our duty to grant the  
 “ same favour to the kingdom of Sicily, on the warm request of  
 “ our dear son in Jesus Christ, King Ferdinand, who begged that  
 “ the Company of Jesus might be re-established in his dominions  
 “ and states as it was in Russia, from a conviction that, in these

" Ditione ac Statibus stabiliretur; quoniam luctuosissimis illis  
 " temporibus ad Juvenes Christiana pietate ac timore Domini,  
 " qui est initium Sapientiæ, informandos, Doctrinaque, et Scien-  
 " tiis instruendos præcipue in Collegiis, Scholisque publicis  
 " Clericorum Regularium Societatis Jesu opera uti in primis  
 " opportunum ubi arbitrabatur. Nos ex muneris Nostri Pastoralis  
 " debito piis tam Illustris Principis desideriis, quæ ad Majorem  
 " Dei Gloriam, Animarumque salutem unice spectabant, morem  
 " gerere exoptantes Nostras Litteras pro Russiaco Imperio datas  
 " ad utriusque Siciliæ Regnum extendimus novis in simili forma  
 " Brevis Litteris incipientibus *Per alias* expeditis die Trigesima  
 " Julii Anni Domini Millesimi Octingentesimi Quarti.

" Pro ejusdem Societati Jesu restitutione unanimi fere totius  
 " Christiani Orbis consensu instantes, urgentesque petitiones a  
 " Venerabilibus Fratribus Archiepiscopis, et Episcopis, atque ab  
 " omnium insignium Personarum Ordine, et Cœtu quotidie ad  
 " Nos deferuntur: præsertim postquam fama ubique vulgata est  
 " uberrimorum fructuum, quos hæc Societas in memoratis Regi-  
 " onibus protulerat, quæque prolis in dies crescentis fœcunda,  
 " Dominicum Agrum latissime ornatura, et dilatatura puta-  
 " batur.

" Dispersio ipsa Lapidum Sanctuarii ob recentes calamitates,

" deplorable times, the Jesuits were instructors most capable of  
 " forming youth to Christian piety and the fear of God, which is  
 " the beginning of wisdom, and to instruct them in science and  
 " letters. The duty of our pastoral charge leading us to second  
 " the pious wishes of these illustrious Monarchs, and having only  
 " in view the glory of God and the salvation of souls, we, by our  
 " Brief, beginning *Per alias*, and dated the 30th of July, 1804,  
 " extended to the kingdom of the Two Sicilies the same conces-  
 " sions which we had made for the Russian empire.

" The Catholic world demands with unanimous voice the  
 " re-establishment of the Company of Jesus. We daily receive  
 " to this effect the most pressing petitions from our venerable  
 " brethren, the Archbishops and Bishops, and the most distin-  
 " guished persons, especially since the abundant fruits which this  
 " Company has produced in the above countries have been  
 " generally known. The dispersion even of the stones of the  
 " sanctuary in those recent calamities (which it is better now to

“ et vicissitudines, quas defere potius juvat, quam in memoriam  
 “ revocare, fatiscens Disciplina Regularium Ordinum (Religionis  
 “ et Ecclesiæ Catholicæ splendor, et columen) quibus nunc repa-  
 “ randis cogitationes curæque Nostræ diriguntur, efflagitant, ut  
 “ tam æquis et communibus Votis Assensum Nostrum præbecamus.  
 “ Gravissimi enim criminis in conspectu Dei reos Nos esse crede-  
 “ remus, si in tantis Reipublicæ necessitatibus ea salutaria auxilia  
 “ adhibere negligereamus, quæ singulari Providentia Deus Nobis  
 “ suppeditat, et si Nos in Petri Navicula assiduis turbinibus  
 “ agitata, et concussa collocati expertes et validos, qui sese Nobis  
 “ offerunt, Remiges ad frangendos Pelagi naufragium Nobis et  
 “ exitium quovis momento minitantis fluctus respueremus.

“ Tot, ac tantis rationum momentis, tamque gravibus causis  
 “ animum Nostrum moventibus id exequi tandem statuimus, quod  
 “ in ipso Pontificatus Nostro exordio vehementer optabamus.  
 “ Postquam igitur Divinum auxilium ferventibus precibus implo-  
 “ ravimus, Suffragiis et Consiliis plurium Venerabilium Fratrum  
 “ Nostrorum Sanctæ Romanæ Ecclesiæ Cardinalium auditis, ex  
 “ certa scientia, deque Apostolicæ Potestatis, plenitudine ordinare  
 “ et statuere decrevimus, uti, revera hac nostra perpetuo valitura

“ deplore than to repeat); the annihilation of the discipline of the  
 “ regular orders, (the glory and support of religion and the Catho-  
 “ lic church, to the restoration of which all our thoughts and cares  
 “ are at present directed,) require that we should accede to a wish  
 “ so just and general.

“ We should deem ourselves guilty of a great crime towards  
 “ God if, amidst these dangers of the Christian republic, we  
 “ neglected the aids which the special providence of God has put  
 “ at our disposal; and if, placed in the bark of Peter, tossed and  
 “ assailed by continual storms, we refused to employ the vigorous  
 “ and experienced rowers who volunteer their services, in order  
 “ to break the waves of a sea which threatens every moment ship-  
 “ wreck and death. Decided by motives so numerous and power-  
 “ ful, we have resolved to do now what we could have wished to  
 “ have done at the commencement of our Pontificate. After  
 “ having by fervent prayers implored the Divine assistance, after  
 “ having taken the advice and counsel of a great number of our  
 “ venerable brothers the Cardinals of the Holy Roman church,  
 “ we have decreed, with full knowledge, in virtue of the plenitude

“ Constitutione ordinamus et statuimus, ut omnes Concessionēs,  
 “ et facultates a Nobis pro Russiaco Imperio, et utriusque Siciliae  
 “ Regno unice datæ, nunc extensæ intelligantur et pro extensis  
 “ habeantur, sicut vere eas extendimus, ad totum Nostrum Statum  
 “ Ecclesiasticum, æque ac ad omnes alios Status et Ditiones.

“ Quare concedimus et indulgemus Dilecto Filio Presbytero  
 “ Thaddæo Borzozowshi moderno Præposito Generali Societatis  
 “ Jesu, aliisque ab eo legitime deputatis omnes necessa-  
 “ rias et opportunas facultates ad Nostrum et Sedis Apostolicæ  
 “ beneplacitum, ut in cunctis præfatis Statibus, et Ditionibus  
 “ omnes illos, qui Regularem Ordinem Societatis Jesu admitti  
 “ et co-optari petent, admittere et co-optare libere ac licite  
 “ valeant: qui in una, vel pluribus domibus, in uno, vel pluribus  
 “ Collegiis, in una, vel pluribus Provinciis sub Præpositi Genera-  
 “ lis pro tempore existentis obedientia conjuncti, et prout res feret,  
 “ distributi, ad præscriptum Regulæ Sancti Ignatii de Loyola  
 “ Apostolicis Pauli Tertii Constitutionibus approbatæ et confir-  
 “ matæ suam accomodent vivendi rationem: concedimus etiam,  
 “ et declaramus, quod pariter Juventuti Catholicæ Religionis  
 “ rudimentis erudiendæ, ac probis moribus instituendæ operam  
 “ dare, nec non seminaria et Collegia regere, et consentientibus

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“ of Apostolic power, and with perpetual validity, that all the  
 “ concessions and powers granted by us solely to the Russian em-  
 “ pire and the kingdom of the Two Sicilies, shall henceforth  
 “ extend to all our Ecclesiastical States, and also to all other  
 “ States. We therefore concede and grant to our well-beloved  
 “ son, Taddeo Barzozowski, at this time General of the Com-  
 “ pany of Jesus, and to the other Members of that Company  
 “ lawfully delegated by him, all suitable and necessary powers,  
 “ in order that the said States may freely and lawfully receive all  
 “ those who shall wish to be admitted into the regular order of  
 “ the Company of Jesus, who, under the authority of the general  
 “ *ad interim*, shall be admitted and distributed, according to  
 “ opportunity, in one or more houses, one or more colleges, and  
 “ one or more provinces, where they shall conform their mode of  
 “ life to the rules prescribed by St. Ignatius of Loyola, approved  
 “ and confirmed by the constitutions of Paul III. We declare  
 “ besides, and grant power, that they may freely and lawfully  
 “ apply to the education of youth in the principles of the Catholic  
 “ faith, to form them to good morals, and to direct colleges and

“ atque adprobantibus Ordinariis Locorum in quibus eos degere  
 “ contigerit, Confessiones audire, Verbum Dei prædicare, et  
 “ Sacramenta administrare libere et licite valeant: omnia vero  
 “ Collegia, Domus, Provincias, Sociosque sic conjunctos, et quos  
 “ in posterum conjungi et aggregari contigerit, jam nunc sub im-  
 “ mediata Nostra et hujus Apostolicæ Sedis tutela, præsidio, et  
 “ obedientia recipimus; Nobis et Romanis Pontificibus succes-  
 “ soribus Nostris reservantes ac præscribere, quæ ad eandem  
 “ Societatem magis magisque constabiliendam et communiendam,  
 “ et ab abusibus, si forte (quod Deus avertat) irrepserint, repur-  
 “ gandam, statuere ac præscribere visum fuerit expedire.

“ Omnes vero et singulos Superiores, Præpositos, Rectores,  
 “ Socios, et Alumnos qualescumque hujus restitutæ Societatis  
 “ quantum in Domino possumus commone facimus, et exhorta-  
 “ mur, ut in omni loco ac tempore sese fideles Asseclas et imita-  
 “ tores tanti sui Parentis et Institutoris exhibeant, Regulam ab  
 “ ipso conditam et præscriptam accurate observent, et utilia  
 “ monita ac consilia quæ Filiis suis tradidit summo studio exequi  
 “ conentur.

“ Denique dilectis in Christo filiis Illustribus et Nobilibus

“ seminaries; we authorize them to hear confessions, to preach  
 “ the word of God, and to administer the sacraments in the places  
 “ of their residence, with the consent and approbation of the  
 “ Ordinary. We take under our tutelage, under our immediate  
 “ obedience, and that of the Holy See, all the colleges, houses,  
 “ provinces, and members of this Order, and all those who  
 “ shall join it; always reserving to ourselves and the Roman  
 “ Pontiffs our successors, to prescribe and direct all that we may  
 “ deem it our duty to prescribe and direct, to consolidate the said  
 “ Company more and more, to render it stronger, and to purge it  
 “ of abuses, should they ever creep in, which God avert. It now  
 “ remains for us to exhort with all our heart, and in the name of  
 “ the Lord, all Superiors, Provincials, Rectors, Companions, and  
 “ Pupils of this re-established Society, to shew themselves at all  
 “ times and in all places, faithful imitators of their father; that  
 “ they exactly observe the rule prescribed by their great founder;  
 “ that they obey with an always increasing zeal the useful advices  
 “ and salutary counsels which he has left to his children.

“ In fine, we recommend strongly, in the Lord, the Company

“ Viris, Principibus, ac Dominis temporalibus, nec non Venerabilibus Fratribus Archiepiscopis et Episcopis, aliisque in quavis Dignitate constitutis sæpedictam Societatem Jesu, et singulos illius Socios plurimum in Domino commendamus, eosque exhortamur, ac rogamus non solum ne eos inquietari a quocumque permittant, ac patiantur, sed ut benigne illos, ut decet, et cum charitate suscipiant.

“ Decernentes præsentis Litteras, et in eis contenta quæcumque semper ac perpetuo firma, valida, et efficacia existere et fore, suosque plenarios, et integros effectus sortiri et obtinere, et ab illis, ad quos spectat, et pro tempore quodcumque spectabit inviolabiliter observari debere, sicque, et non aliter per quoscumque Judices quavis potestate fungentes judicari et definiri pariter debere; ac irritum, et inane si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.

“ Non obstantibus Constitutionibus et Ordinationibus Apostolicis, ac præsertim supramemoratis Litteris in forma Brevis felicis recordationis Clementis Decimiquarti incipien: *Dominus ac Redemptor Noster* sub Annulo Piscatoris expeditis die vigesima prima Julii Anni Domini millesimi septingentesimi septuagesimi tertii, quibus ad præmissorum effectum expresse

“ and all its members to our dear sons in Jesus Christ, the illustrious and noble Princes and Lords temporal, as well as to our venerable brothers the Archbishops and Bishops, and to all those who are placed in authority; we exhort, we conjure them not only not to suffer that these religious be in any way molested, but to watch that they be treated with all due kindness and charity.

“ We ordain that the present letters be inviolably observed according to their form and tenour, in all time coming; that they enjoy their full and entire effect; that they shall never be submitted to the judgment or revision of any Judge, with whatever power he may be clothed; declaring null and of no effect any encroachment on the present regulations, either knowingly or from ignorance; and this notwithstanding any apostolical constitutions and ordinances, especially the Brief of Clement XIV., of happy memory, beginning with the words *Dominus ac Redemptor noster*, issued under the seal of the Fisherman, on

“ ac speciatim intendimus derogare, cæterisque contrariis quibus-  
cumque.

“ Volumus autem, ut earundem præsentium Litterarum Trans-  
umptis, sive exemplis, etiam impressis, manu alicujus Notarii  
publici subscriptis, et sigillo Personæ in Ecclesiastica Dignitate  
constitutæ munitis eadem prorsus fides in Judicio et extra  
adhibeatur, quæ ipsis præsentibus adhiberetur, si forent exhibitæ  
vel ostensæ.

“ Nulli ergo omnino hominum liceat hanc paginam Nostræ  
Ordinationis, Statuti, Extensionis, Concessionis, Indulti, Decla-  
rationis, Facultatis, Receptionis, Reservationis, Moniti, Exhor-  
tationis, Decreti, et Derogationis infringere vel ei ausu temerario  
contraire; si quis autem hoc attentare præsumperit indigna-  
tionem Omnipotentis Dei ac Beatorum Petri et Pauli Aposto-  
lorum ejus se noverit incursurum.

“ Datum Romæ apud Sanctam Mariam Majorem Anno Incar-  
nationis Dominicæ Millesimo Octingentesimo Quartodecimo  
Septimo Idus Augusti Pontificatus Nostri Anno quintodecimo.

“ A. CARD. PRO-DATARIUS      R. CARD. BRASCHI HONESTI.

VISA

“ De Curia D. Testa

“ Loco ✠ Plumbi

“ F. Lavizzarius.

“ *Registrata in Secretaria Brevium.*”

“ the 22d of July, 1773, which we expressly abrogate, as far as  
contrary to the present order.

“ It is also our will that the same credit be paid to copies,  
whether in manuscript or printed, of our present Brief, as to the  
original itself, provided they have the signature of some notary  
public, and the seal of some ecclesiastical dignitary; that no  
one be permitted to infringe, or by any audacious temerity to  
oppose, any part of this ordinance; and that should any one  
take upon him to attempt it, let him know that he will thereby  
incur the indignation of Almighty God, and of the holy Apostles  
Peter and Paul.

“ Given at Rome, at Sancta Maria Major, on the 7th of  
August, in the year of our Lord, 1814, and the 15th of our  
Pontificate.

(Signed)

“ Cardinal PRODATAIRE,  
“ Cardinal BRASCHI.”



A

TRANSLATION

OF

*chief*

THE BULL

FOR THE EFFECTUAL

SUPPRESSION OF THE ORDER OF THE JESUITS.

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“ CLEMENT XIV. Pope, &c.

“ Jesus Christ our Saviour and Redeemer was  
“ foretold by the prophets as the Prince of Peace : the angels pro-  
“ claimed him under the same title to the shepherds at his first  
“ appearance upon earth ; he afterwards made himself known  
“ repeatedly as the sovereign pacificator ; and he recommended  
“ peace to his disciples before his ascension to heaven.

“ Having reconciled all things to God his father, having pacified  
“ by his blood and by his cross every thing which is contained in  
“ heaven and in earth, he recommended to his apostles the  
“ ministry of reconciliation, and bestowed on them the gift of  
“ tongues, that they might publish it ; that they might become  
“ ministers and envoys of Christ, who is not the God of discord,  
“ but of peace and love ; that they might announce this peace to  
“ all the earth, and direct their efforts to this chief point, that all  
“ men being regenerated in Christ, might preserve the unity of  
“ the spirit in the bond of peace ; might consider themselves as  
“ one body and one soul, as called to one and the same hope, to  
“ one and the same vocation, at which, according to St. Gregory,  
“ we never can arrive, unless we run in concert with our brethren.  
“ This same word of reconciliation, this same ministry, is recom-  
“ mended to Us by God in a particular manner. Ever since  
“ we were raised (without any personal merit) to the chair of St.  
“ Peter, we have called these duties to mind day and night, we

“ have had them without ceasing before our eyes ; they are  
 “ deeply engraven on our hearts, and we labour to the utmost of  
 “ our power to satisfy and fulfil them. To this effect we  
 “ implore without ceasing the protection and the aid of God,  
 “ that he would inspire us and all his flock with counsels of  
 “ peace, and open to us the road which leads to it. We know,  
 “ besides, that we are established by the Divine Providence over  
 “ kingdoms and nations, in order to pluck up, destroy, disperse,  
 “ dissipate, plant, or nourish, as may best conduce to the right  
 “ cultivation of the vineyard of Sabaoth, and to the preservation  
 “ of the edifice of the Christian religion, of which Christ is the  
 “ chief corner-stone. In consequence hereof we have ever thought,  
 “ and been constantly of opinion, that as it is our duty carefully to  
 “ plant and nourish whatever may conduce in any manner to the  
 “ repose and tranquillity of the Christian republic, so the bond of  
 “ mutual charity requires that we be equally ready and disposed  
 “ to pluck up and destroy even the things which are most agree-  
 “ able to us, and of which we cannot deprive ourselves without  
 “ the highest regret and the most pungent sorrow.

“ It is beyond a doubt, that among the things which contribute  
 “ to the good and happiness of the Christian republic, the religi-  
 “ ous orders hold as it were the first place. It was for this reason  
 “ that the apostolic see, which owes its lustre and support to these  
 “ orders, has not only approved, but endowed them with many  
 “ exemptions, privileges, and faculties, in order that they might be  
 “ so much the more excited to the cultivation of piety and religion :  
 “ to the direction of the manners of the people, both by their  
 “ instructions and their examples ; to the preservation and confir-  
 “ mation of the unity of the faith among the believers. But if at  
 “ any time any of these religious orders did not cause these abund-  
 “ ant fruits to prosper among the Christian people, did not pro-  
 “ duce those advantages which were hoped for at their institution ;  
 “ if at any time they seemed disposed rather to trouble than  
 “ maintain the public tranquillity ; the same apostolic see, which  
 “ had availed itself of its own authority to establish these orders,  
 “ did not hesitate to reform them by new laws, to recall them to  
 “ their primitive institution, or even totally to abolish them where  
 “ it has seemed necessary. Upon motives like these, Innocent III.  
 “ our predecessor, having considered that the too great multipli-  
 “ city of regular orders served only to bring confusion into the  
 “ church of God, did, in the fourth Council of Lateran, forbid all

persons to invent any new religious institution ; and counsel all those who were called to the monastic life to embrace one of the orders already established. He determined, also, that whoever was disposed to found any new religious house, should submit it to some of the rules or institutions already approved. From hence it results that no one has a right to found any new order, without the special permission of the Roman Pontiff, and that with very good reason ; the rather, as the end of new institutions being the attainment of a greater degree of perfection, it is proper that the Apostolic See should previously and carefully examine the rules of conduct proposed to be laid down, lest great inconveniences, and even scandals, should be introduced into the church of God, under the specious appearance of a greater good.

Notwithstanding the wisdom of these dispositions of Innocent III., in after times excess of importunity wrung from the Holy See the approbation of divers regular orders ; nay, such was the arrogant temerity of many individuals, that an infinite number of orders, especially mendicants, started up without any permission at all. To remedy this abuse, Gregory X., likewise our predecessor, renewed the constitution of Innocent III. in the General Council at Lyons, and forbid every one, under the most severe penalties, to invent thereafter any new orders, or to wear the habit of them. And as to the new institutions and mendicant orders, established after the Council of Lateran, and not then approved by the Holy See, he abolished them all ; and with regard to those which had then been confirmed by the Apostolic See, he ordained, that those who had already taken the vows might, if they saw good, remain in them, on condition that they received no new members, that they acquired no new houses, lands, or possessions whatever, and that they did not alienate the possessions they then had, without the express permission of the Apostolic See. And further, he reserved to the said See the disposition of all the goods and possessions, to be carried to the subsidies destined for the Holy Land, or for the poor, or for other pious uses, and that through the channel of the ordinary of the place, or of such other person as the Holy See should appoint. He prohibited, likewise, the members of the said orders to preach, confess, or even inter any other dead, except those of their own order. He declared, however, that the orders and preachers called '*Fratres Minores*,' should be exempted from this constitution,

“ inasmuch as the evident advantage the Catholic church  
 “ reaped from them entitled them to an entire approbation. He  
 “ ordained, likewise, that the order of the Hermits of St. Augus-  
 “ tine, and that of the Carmelites, should remain on their ancient  
 “ footing, inasmuch as their institution was prior to the Council  
 “ of Lateran. And finally, he permitted the individuals of the  
 “ orders, comprised in the said constitution, full liberty of trans-  
 “ porting themselves and their effects into any other order already  
 “ approved; provided only that no whole order or convent  
 “ should pass with all their effects into any one other order,  
 “ without a previous and express permission of the Holy See.

“ The other Roman Pontiffs, our predecessors, followed the  
 “ same steps, as circumstances required. Among others, Cle-  
 “ ment V. by a letter *sub plumbo*, expedited the 3d of May in the  
 “ year 1312, induced thereto by the general discredit into which  
 “ the order of Templars was fallen, did entirely suppress and  
 “ abolish the said order, though it had been legally approved,  
 “ and though, on account of the services it had rendered to the  
 “ Christian republic, the Holy See had heretofore bestowed on it  
 “ many and important privileges, faculties, and exemptions; and  
 “ though the General Council of Vienna, to whom the examina-  
 “ tion of this affair had been committed, had not thought proper  
 “ to pronounce a formal and definitive sentence.

“ St. Pius V., likewise our predecessor, whose eminent virtues  
 “ are honoured by the church, suppressed and entirely abolished  
 “ the order called ‘The Humble Brothers,’ though it was anterior  
 “ to the Council of Lateran, and had been approved by Inno-  
 “ cent III. Honorius III. Gregory IX. and Nicholas III. pontiffs  
 “ of blessed memory, and our predecessors; his reasons for which  
 “ were, that the disobedience of this order to the apostolic decrees,  
 “ their quarrels among themselves and with strangers, left no  
 “ room to hope from them any example of virtue; and that,  
 “ besides, some individuals of this order had made an infamous  
 “ attempt on the life of St. Charles Boromæus, a cardinal of the  
 “ holy church, and apostolic visitor of the said order.

“ The Pope Urban VIII. our predecessor, of blessed memory,  
 “ did in the same manner, by a Brief dated the 6th of February,  
 “ abolish and for ever suppress the congregation of ‘*Fratres Con-  
 “ ventuales reformati*,’ though this order had been approved by  
 “ Pope Sixtus V., who had distinguished it by particular benefac-  
 “ tions and favours. Urban VIII. suppressed it, because the  
 “ church of God did no longer receive any spiritual advantages

“ from it; and because violent disputes had arisen between this  
 “ order and those of the ‘ *Fratres Conventuales non reformati*.’  
 “ He ordained that the houses, convents, and goods, moveable and  
 “ immoveable, belonging to their congregation, should be assigned  
 “ over to the ‘ *Fratres Minores Conventuales*’ of St. Francis,  
 “ except only the house at Naples, and that of St. Anthony of  
 “ Padua, called ‘ *de Urbe*.’ This last he incorporated, and  
 “ applied to the apostolic chamber, leaving the disposition of it to  
 “ his successors. Lastly, he permitted the brothers of the said  
 “ congregation to pass into the houses of the Capuchins, or into  
 “ those of the brothers called ‘ *de observantiâ*.’

“ This same Urban VIII. by another letter in the form of a  
 “ Brief, dated the 2d of December 1643, suppressed for ever,  
 “ extinguished, and abolished the regular order of the Saints  
 “ Ambrose and Barnaby, *ad nemus*, submitting the regulars of the  
 “ said order to the jurisdiction and government of the Ordinary,  
 “ permitting the individuals thereof to pass into other regular  
 “ orders approved by the Holy See. Innocent X. confirmed this  
 “ abolition afterwards by his letter *sub plumbo* of the 1st of April  
 “ 1645. He farther secularized all the benefices, monasteries,  
 “ and houses of the said order, which were heretofore regular.  
 “ The same Innocent X., our predecessor, having been informed of  
 “ the great disorders which had arisen among the regulars of the  
 “ order of the pious schools of *the mother of God*; and notwith-  
 “ standing the said order had been solemnly approved by Gregory  
 “ XV., did, after a mature examination, and by his brief, dated  
 “ March 16, 1645, reduce the said order to a simple congrega-  
 “ tion, dispensing with all obligation to make any vow, in imita-  
 “ tion of the institution of the congregation of secular priests of  
 “ the Oratory, in the church of St. Mary, at Valicella de Urbe, or,  
 “ as it is commonly called, of St. Philip of Neræa; he granted  
 “ the said regulars the permission of passing into any other order,  
 “ forbid the farther admission of novices; and the administration  
 “ of the vows to the novices already received. And, lastly, he  
 “ transferred to the ordinaries all the superiority and jurisdiction  
 “ which had heretofore been vested in the minister general, the  
 “ visitors, and superiors. And these dispositions had their full  
 “ effect for some years; till at last the Holy See, convinced of the  
 “ utility of this institution, recalled it to its first form, re-ordained  
 “ the ancient solemn vows, and reinstated it as a fixed regular  
 “ order.

“ By another Brief of the 29th of October 1650, this same  
“ Innocent X. totally suppressed the order of St. Basilicus of the  
“ Armenians; and that on the same account of dissensions and  
“ troubles arisen therein, he invested the Ordinaries with full  
“ power and authority over the members of the orders thus sup-  
“ pressed, commanding them to take the dress of the secular  
“ clergy, and assigning them annuities out of the revenues of the  
“ suppressed convents, granting withal the permission to enter  
“ into such other orders as they should see fit.

“ The same Innocent X. having considered that no spiritual  
“ advantages could be derived from the regular congregation of  
“ the Priests of the good Jesus, did, by another brief of the 22d of  
“ June 1651, abolish the same for ever. He submitted the said  
“ regulars to the jurisdiction of their Ordinary, assigned them a  
“ convenient portion of the revenues of the congregation, permit-  
“ ting them to enter into any other approved order, and reserving  
“ to himself the disposition of the goods of the said congregation,  
“ to be applied, as he should see fit, to works of piety.

“ Lastly, Clement IX., our predecessor, of blessed memory,  
“ having considered that the three regular orders of the regular  
“ canons of Saint Gregory in Alga, of the Jeromites of Fiesole,  
“ and of the Jesuits instituted by St. Colomanus, were of no  
“ further use to the Christian world, and that no hopes remained  
“ of rendering them hereafter useful, resolved to abolish them, and  
“ did actually do so, by his Brief, bearing date the 6th of Decem-  
“ ber, 1668. With regard to their goods and revenues, which  
“ were very considerable, at the request of the republic of Venice,  
“ he assigned them for the carrying on the war of Candia against  
“ the Turks.

“ Our predecessors, in taking and executing these resolutions,  
“ have very wisely preferred this method to all others; they  
“ regarded it as the only one calculated to calm the agitation of  
“ men’s minds, and to stifle the spirit of party and dissension.  
“ They, therefore, avoided the slow and fallible method of pro-  
“ ceeding in ordinary contestations before the courts of justice,  
“ contenting themselves to follow the laws of prudence, and rely-  
“ ing wholly on that plenitude of power which they possessed in  
“ so eminent a degree as vicars of Christ upon earth, and as  
“ sovereign moderators of the Christian republic; they executed  
“ all these changes without giving the regular orders, which they  
“ proposed to suppress, the faculty of producing any arguments in

“ their defence, or of clearing themselves from the heavy accusa-  
 “ tions brought against them, or of opposing the powerful mo-  
 “ tives by which the holy Pontiffs were induced to take such  
 “ resolutions.

“ We therefore having these and other such examples before  
 “ our eyes, examples of great weight and high authority, animated  
 “ besides with a lively desire of walking with a safe conscience,  
 “ and a firm step, in the deliberations of which we shall speak  
 “ hereafter, have omitted no care, no pains, in order to arrive at a  
 “ thorough knowledge of the origin, the progress, and the actual  
 “ state of that regular order, commonly called The Company of  
 “ Jesus. In the course of these investigations, we have seen that  
 “ the holy founder of this order did institute it for the salvation of  
 “ souls, the conversion of heretics and infidels, and, in short, for  
 “ the greater advancement of piety and religion. And in order to  
 “ attain more surely and happily so laudable a design, he conse-  
 “ crated himself rigorously to God, by an absolute vow of  
 “ evangelical poverty, with which to bind the society in general,  
 “ and each individual in particular, except only the colleges, in  
 “ which polite literature, and other branches of knowledge, were  
 “ to be taught, and which were allowed to possess property, but  
 “ so that no part of their revenues could ever be applied to the use  
 “ of the said society in general. It was under these and other holy  
 “ restrictions, that the Company of Jesus was approved by the Pope  
 “ Paul III., our predecessor, of blessed memory, by his letter *sub*  
 “ *plumbo*, dated October 29, 1540. He granted them, besides, the  
 “ power of forming laws and statutes, to secure the advantages,  
 “ stability, and good order of the society, on a more solid footing.  
 “ And though Paul III. did at first restrain this company to the  
 “ number of sixty; yet, by his letter of the 27th of March, he  
 “ gave the superiors of the said company power to admit as many  
 “ members as they pleased. Afterwards the same Pontiff by his  
 “ brief, dated May 15, 1549, favoured the said company with  
 “ many and extensive privileges: among others, he willed and  
 “ ordered, that the *indult*, which he had already accorded to the  
 “ preceding generals, should be extended to all such as the  
 “ generals should think worthy of it. This *indult* has hitherto  
 “ been restrained to the power of admitting only twenty priests, as  
 “ spiritual coadjutors, to whom were to be granted all the same  
 “ privileges, and the same authority, as to the professed com-  
 “ panions of the order. Farther, he exempted and withdrew the  
 “ said order, its companions, persons, and possessions whatever;

“ from all dominion and jurisdiction of all ordinaries whatever,  
 “ taking them under the immediate protection of himself and the  
 “ holy see.

“ The munificence and liberality of other Pontiffs, our pre-  
 “ decessors, towards this society, have not been less remarkable.  
 “ It is well known that Julius III. [1550], Paul IV. [1560], Pius  
 “ IV. and V. [1566], Gregory XIII. [1572], Sixtus V. [1585],  
 “ Gregory XIV. [1590], Clement VIII. [1592], Paul V. [1605],  
 “ Leo XI. [1605], Gregory XV. [1621], Urban VIII. [1623],  
 “ and other Roman Pontiffs, of blessed memory, have either con-  
 “ firmed the privileges already granted to the society, or have  
 “ explained and augmented them.

“ Notwithstanding so many and so great favours, it appears,  
 “ from the apostolical constitutions, that almost at the very  
 “ moment of its institution there arose in the bosom of this society  
 “ divers seeds of discord and dissension, not only among the com-  
 “ panions themselves, but with other regular orders, the secular  
 “ clergy, the academies, the universities, the public schools, and,  
 “ lastly, even with the princes of the states in which the society  
 “ was received.

“ These dissensions and disputes arose sometimes concerning  
 “ the nature of their vows, the time of admission to them, the  
 “ power of expulsion, the right of admission to holy orders with-  
 “ out a sufficient title, and without having taken the solemn vows,  
 “ contrary to the tenor of the decrees of the council of Trent, and  
 “ of Pius V. our predecessor. Sometimes concerning the absolute  
 “ authority assumed by the general of the said order, and on mat-  
 “ ters relating to the good government and discipline of the order.  
 “ Sometimes concerning different points of doctrine, concerning  
 “ their schools, or such of their exemptions and privileges as the  
 “ ordinaries, and other civil or ecclesiastical officers, declared to be  
 “ contrary to their rights and jurisdiction. In short, accusations  
 “ of the greatest nature, and very detrimental to the peace and  
 “ tranquillity of the Christian republic, have been continually  
 “ received against the said order. Hence the origin of that infinity  
 “ of appeals and protests against this society, which so many  
 “ sovereigns have laid at the foot of the throne of our predecessors,  
 “ Paul IV., Pius V., and Sixtus V.

“ Among the princes who have thus appealed, is Philip II.  
 “ King of Spain, of glorious memory, who laid before Sixtus V.  
 “ not only the reasons of complaint, which he had, but also those  
 “ alleged by the inquisitors of his kingdom against the excessive



“ privileges of the society, and the form of their government. He  
“ desired likewise that the Pope should be acquainted with the  
“ heads of accusation laid against the society, and confirmed by  
“ some of its own members, remarkable for their learning and  
“ piety, and demanded that the society should undergo an aposto-  
“ lic visitation. Sixtus V. convinced that these demands and  
“ solicitations of Philip were just and well founded, did, without  
“ hesitation, comply therewith; and, in consequence, named a  
“ bishop of distinguished prudence, virtue and learning, to be  
“ apostolic visitor, and at the same time deputed a congregation  
“ of cardinals to examine this matter.

“ But this Pontiff having been carried off by a premature death,  
“ this wise undertaking remained without effect. Gregory XIV.  
“ being raised to the supreme apostolic chair, approved, in its ut-  
“ most extent, the institution of the society, by his letter *sub plumbo*,  
“ dated the 28th of July, 1591. He confirmed all the privileges  
“ which had been granted by any of his predecessors to the  
“ society, and particularly the power of expelling and dismissing  
“ any of its members, without any previous form of process, infor-  
“ mation, act, or delay; upon the sole view of the truth of the  
“ fact, and the nature of the crime, from a sufficient motive, and  
“ a due regard of persons and circumstances. He ordained, and  
“ that under pain of excommunication, that all proceedings  
“ against the society should be quashed, and that no person  
“ whatever should presume, directly or indirectly, to attack the  
“ institution, constitutions, or decrees of the said society, or  
“ attempt in any manner whatever to make any changes therein.  
“ To each and every of the members only of the said society, he  
“ permitted to expose and propose, either by themselves or by the  
“ legates and nuncios of the holy see, to himself only, or the  
“ Popes his successors, whatever they should think proper to be  
“ added, modified, or changed in their institution.

“ Who would have thought that even these dispositions should  
“ prove ineffectual towards appeasing the cries and appeals against  
“ the society? On the contrary, very violent disputes arose on  
“ all sides, concerning the doctrine of the society, which many  
“ represented as contrary to the orthodox faith, and to sound  
“ morals. The dissensions among themselves, and with others,  
“ grew every day more animated; the accusations against the  
“ society were multiplied without number, and especially with  
“ regard to that insatiable avidity of temporal possessions, with  
“ which it was reproached. Hence the rise not only of those

“ well-known troubles which brought so much care and solicitude  
 “ upon the holy see, but also of the resolutions which certain  
 “ sovereigns took against the said order.

“ It resulted, that instead of obtaining from Paul V. of blessed  
 “ memory, a fresh confirmation of its institute and privileges, the  
 “ society was reduced to ask of him, that he would condescend to  
 “ ratify and confirm by his authority, certain decrees formed in  
 “ the fifth general congregation of the company, and transcribed  
 “ word for word in the brief of the said Pope, bearing date  
 “ Sept. 4, 1606. In these decrees it is plainly acknowledged  
 “ that the dissensions and internal revolts of the said companions,  
 “ together with the demands and appeals of strangers, had obliged  
 “ the said companions assembled in congregation to enact the  
 “ following statute, namely:—

“ The Divine Providence having raised up our society for the  
 “ propagation of the faith, and the gaining of souls, the said  
 “ society can, by the rules of its own institute, which are its  
 “ spiritual arms, arrive happily, under the standard of the cross,  
 “ at the end which it has proposed for the good of the church, and  
 “ the edification of our neighbours. But the said society would  
 “ prevent the effect of these precious goods, and expose them to  
 “ the most imminent dangers, if it concerned itself with temporal  
 “ matters, and which relate to political affairs, and the adminis-  
 “ tration of government: in consequence whereof it has been  
 “ wisely ordained by our superiors, and ancients, that, confining  
 “ ourselves to combat for the glory of God, we should not con-  
 “ cern ourselves with matters foreign to our profession: but  
 “ whereas in these times of difficulty and danger it has happened  
 “ through the fault perhaps of certain individuals, through ambi-  
 “ tion and intemperate zeal, that our institute has been ill-spoken  
 “ of in divers places, and before divers sovereigns, whose affection  
 “ and good-will the Father Ignatius, of holy memory, thought we  
 “ should preserve for the good of the service of God: and whereas  
 “ a good reputation is indispensably necessary to make the vine-  
 “ yard of Christ bring forth fruits; in consequence hereof our  
 “ congregation has resolved that we should abstain from all  
 “ appearance of evil, and remedy, as far as in our power, the  
 “ evils arisen from false suspicions. To this end, and by the  
 “ authority of the present decree of the said congregation, it is  
 “ severely and strictly forbidden to all the members of the  
 “ society, to interfere in any manner whatever in public affairs,  
 “ even though they be thereto invited; or to deviate from the

“ institute, through entreaty, persuasion, or any other motive  
“ whatever. The congregation recommends to the fathers-  
“ coadjutors, that they do propose and determine, with all dili-  
“ gence and speed, such farther means as they may think necessary,  
“ of remedying this abuse.”——

“ We have seen, in the grief of our hearts, that neither these  
“ remedies, nor an infinity of others since employed, have pro-  
“ duced their due effect, or silenced the accusations and com-  
“ plaints against the said society. Our other predecessors, Urban  
“ VII. Clement IX, X, XI, and XII, Alexander VII. and VIII.  
“ Innocent X, XI, XII, and XIII. and Benedict XIV.  
“ employed without effect all their efforts to the same purpose.  
“ In vain did they endeavour, by salutary constitutions, to restore  
“ peace to the church; as well with respect to secular affairs  
“ with which the company ought not to have interfered, as with  
“ regard to the missions; which gave rise to great disputes and  
“ oppositions on the part of the company with the ordinaries,  
“ with other religious orders, about the holy places, and com-  
“ munities of all sorts in Europe, Africa, and America, to the  
“ great loss of souls, and great scandal of the people; as likewise  
“ concerning the meaning and practice of certain idolatrous  
“ ceremonies adopted in certain places in contempt of those  
“ justly approved by the Catholic church; and, farther, concern-  
“ ing the use and explication of certain maxims, which the holy  
“ see has, with reason, proscribed as scandalous, and manifestly  
“ contrary to good morals; and lastly, concerning other matters  
“ of great importance and prime necessity towards preserving the  
“ integrity and purity of the doctrines of the gospel, from which  
“ maxims have resulted very great inconveniences and great  
“ detriment, both in our days and in past ages; such as the  
“ revolts and intestine troubles in some of the Catholic states,  
“ persecutions against the church in some countries of Asia and  
“ Europe, not to mention the vexation and grating solicitude  
“ which these melancholy affairs brought on our predecessors,  
“ principally upon Innocent XI. of blessed memory, who found  
“ himself reduced to the necessity of forbidding the company to  
“ receive any more novices; and afterwards upon Innocent XIII.  
“ who was obliged to threaten the company with the same  
“ punishment; and lastly, upon Benedict XIV. who took the  
“ resolution of ordaining a general visitation of all the  
“ houses and colleges of the company in the kingdom of our

“ dearly beloved son in Jesus Christ, the most faithful King of  
“ Portugal.

“ The late apostolic letter of Clement XIII. of blessed memory,  
“ our immediate predecessor, by which the institute of the com-  
“ pany of Jesus was again approved and recommended, was far  
“ from bringing any comfort to the holy see, or any advantage to  
“ the Christian republic. Indeed this letter was rather extorted  
“ than granted, to use the expression of Gregory X. in the above  
“ named general council of Lyons.

“ After so many storms, troubles, and divisions, every good  
“ man looked forward with impatience to the happy day which  
“ was to restore peace and tranquillity; but under the reign of  
“ this same Clement XIII. the times became more difficult and  
“ tempestuous; complaints and quarrels were multiplied on every  
“ side; in some places dangerous seditions arose, tumults, dis-  
“ cords, dissensions, scandals, which weakening or entirely break-  
“ ing the bonds of Christian charity, excited the faithful to all the  
“ rage of party, hatreds, and enmities. Desolation and danger  
“ grew to such a height, that the very sovereigns, whose piety and  
“ liberality towards the company were so well known as to be  
“ looked upon as hereditary in their families, we mean our dearly  
“ beloved sons in Christ the Kings of France, Spain, Portugal,  
“ and Sicily, found themselves reduced to the necessity of expel-  
“ ling and driving from their states, kingdoms, and provinces, these  
“ very companions of Jesus; persuaded that there remained no  
“ other remedy to so great evils; and that this step was necessary  
“ in order to prevent the Christians from rising one against  
“ another, and from massacreing each other in the very bosom of  
“ our common mother the holy church. The said our dear sons  
“ in Jesus Christ having since considered that even this remedy  
“ would not be sufficient towards reconciling the whole Christian  
“ world, unless the said society was absolutely abolished and  
“ suppressed, made known their demands and wills in this matter  
“ to our said predecessor Clement XIII. They united their com-  
“ mon prayers and authority to obtain that this last method  
“ might be put in practice, as the only one capable of assuring  
“ the constant repose of their subjects, and the good of the  
“ Catholic church in general. But the unexpected death of the  
“ aforesaid Pontiff rendered this project abortive.

“ As soon as by the divine mercy and providence we were  
“ raised to the chair of St. Peter, the same prayers, demands, and

“ wishes, were laid before us; and strengthened by the pressing  
“ solicitations of many bishops and other persons of distinguished  
“ rank, learning, and piety. But that we might choose the wisest  
“ course, in an affair of so much importance, we determined not  
“ to be precipitate, but to take due time not only to examine  
“ attentively, weigh carefully, and wisely debate, but also by  
“ unceasing prayers to ask of the Father of lights his particular  
“ assistance under these circumstances; exhorting at the same  
“ time the faithful to co-operate with us by their prayers and good  
“ works in obtaining this needful succour.

“ And first of all we proposed to examine upon what grounds  
“ rested the common opinion, that the institute of the clerks of the  
“ company of Jesus had been approved and confirmed in an  
“ especial manner by the council of Trent. And we found, that  
“ in the said council nothing more was done with regard to the  
“ said society, only to except it from the general decree, which  
“ ordained, that in the other regular orders, those who had  
“ finished their noviciate, and were judged worthy of being  
“ admitted to the profession, should be admitted thereto; and that  
“ such as were not found worthy, should be sent back from the  
“ monastery. The same council declared, that it meant not to  
“ make any change or innovation in the government of the clerks  
“ of the company of Jesus, that they might not be hindered from  
“ being useful to God and his church, according to the intent of  
“ the pious institute approved by the holy see.

“ Actuated by so many and important considerations, and, as  
“ we hope, aided by the presence and inspiration of the Holy  
“ Spirit, compelled besides by the necessity of our ministry, which  
“ strictly obliges us to conciliate, maintain, and confirm the  
“ peace and tranquillity of the Christian republic, and remove  
“ every obstacle which may tend to trouble it: having farther  
“ considered that the said company of Jesus can no longer pro-  
“ duce those abundant fruits and those great advantages with a  
“ view to which it was instituted, approved by so many of our  
“ predecessors, and endowed with so many and extensive privi-  
“ leges; that on the contrary it was very difficult, not to say  
“ impossible, that the church could recover a firm and durable  
“ peace so long as the said society subsisted; in consequence  
“ hereof, and determined by the particular reasons we have here  
“ alleged, and forced by other motives, which prudence, and the  
“ good government of the church have dictated, the knowledge of  
“ which we reserve to ourselves; conforming ourselves to the

“ examples of our predecessors, and particularly to that of  
“ Gregory X. in the general council of Lyons; the rather as, in  
“ the present case, we are determining upon the fate of a society  
“ classed among the mendicant orders, both by its institute, and  
“ by its privileges.—After a mature deliberation, we do, out of  
“ our certain knowledge, and the fulness of our apostolical power,  
“ **SUPPRESS AND ABOLISH THE SAID COMPANY**: we deprive it of  
“ all activity whatever, of its houses, schools, colleges, hospitals,  
“ lands, and in short every other place whatever belonging to the  
“ said company in any manner whatsoever, in whatever kingdom  
“ or province they be situated; we abrogate and annul its  
“ statutes, rules, customs, decrees, and constitutions, even though  
“ confirmed by oath, and approved by the holy see, or otherwise:  
“ in like manner we annul all and every its privileges, indults,  
“ general or particular, the tenor whereof is, and is taken to be,  
“ as fully and as amply expressed in the present brief, as if the  
“ same were inserted word for word: in whatever clauses, form or  
“ decree, or under whatever sanction their privileges may have  
“ been conceived. We declare all, and all kind of authority, the  
“ general, the provincials, the visitors, and other superiors of the  
“ said society, to be for ever annulled and extinguished; of what  
“ nature soever the said authority may be, as well in things  
“ spiritual as temporal. We do likewise order that the said  
“ jurisdiction and authority be transferred to the respective  
“ ordinaries, fully and in the same manner as the said generals,  
“ &c. exercised it, according to the form, places, and circum-  
“ stances, with respect to the persons, and under the conditions  
“ hereafter determined. Forbidding, as we do hereby forbid, the  
“ reception of any person to the said society, the noviciate or  
“ habit thereof. And with regard to those who have already been  
“ admitted, our will is, that they be not received to make pro-  
“ fession of the simple solemn absolute vows under pain of  
“ nullity, and such other penalties as we shall ordain. Farther  
“ we do will, command, and ordain, that those who are now  
“ performing their noviciate, be speedily, immediately, and  
“ actually sent back to their own homes: we do further forbid,  
“ that those who have made profession of the first simple vows,  
“ but who are not yet admitted to either of the holy orders, be  
“ admitted thereto under any pretext or title whatever: whether  
“ on account of the profession they have already made in the  
“ said society, or by virtue of any privileges the said society has  
“ obtained, contrary to the tenor of the decrees of the council of  
“ Trent.

“ And whereas all our endeavours are directed to the great end  
“ of procuring the good of the church, and the tranquillity of  
“ nations; and it being at the same time our intention to provide  
“ all necessary aid, consolation, and assistance to the individuals  
“ or companions of the said society, every one of which in his  
“ individual capacity we love in the Lord with a truly paternal  
“ affection; and to the end that they, being delivered on their  
“ part from the persecutions, dissensions, and troubles with which  
“ they have for a long time been agitated, may be able to labour  
“ with more success in the vineyard of the Lord, and contribute  
“ to the salvation of souls: therefore, and for these motives, we do  
“ decree and determine, that such of the companions as have yet  
“ made professions only of the first vows, and are not yet pro-  
“ moted to holy orders, being absolved, as in fact they are  
“ absolved from the first simple vows, do without fail, quit the  
“ houses and colleges of the said society, and be at full liberty to  
“ choose such course of life as each shall judge most comfortable  
“ to his vocation, strength, and conscience, and that within a  
“ space of time to be prescribed by the ordinary of the diocese;  
“ which time shall be sufficient for each to provide himself some  
“ employment or benefice, or at least some patron who will  
“ receive him into his house, always provided that the term thus  
“ allowed do not exceed the space of one year, to be counted from  
“ the day of the date hereof. And this the rather, as, according  
“ to the privileges of the said company, those who have only  
“ taken these first vows, may be expelled the order upon motives  
“ left entirely to the prudence of the superiors, as circumstances  
“ require, and without any previous form of process. As to such  
“ of the companions as are already promoted to holy orders, we  
“ grant them permission to quit the houses and colleges of the  
“ company, and to enter into any other regular order, already  
“ approved by the holy see. In which case and supposing they  
“ have already possessed the first vows, they are to perform the  
“ accustomed noviciate in the order into which they are to enter,  
“ according to the prescription of the council of Trent; but if  
“ they have taken all the vows, then they shall perform only a  
“ noviciate of six months, we graciously dispensing with the rest.  
“ Or otherwise we do permit them to live at large, as secular  
“ priests and clerks, always under a perfect and absolute obedi-  
“ ence to the jurisdiction of the ordinary of the diocese, where  
“ they shall establish themselves. We do likewise ordain, that to  
“ such as shall embrace this last expedient, a convenient stipend

“ be paid out of the revenues of the house or college where  
“ they resided; regard being paid, in assigning the same, to the  
“ expenses to which the said house shall be exposed, as well as  
“ to the revenues it enjoyed. With regard to those who have  
“ made the last vows, and are promoted to holy orders, and who  
“ either through fear of not being able to subsist for want of a  
“ pension, or from the smallness thereof, or because they know  
“ not where to fix themselves, or on account of age, infirmities, or  
“ other grave and lawful reasons, do not choose to quit the said  
“ colleges or houses, they shall be permitted to dwell therein,  
“ provided always that they exercise no ministry whatsoever in  
“ the said houses or colleges, and be entirely subject to the  
“ ordinary of the diocese; that they make no acquisitions what-  
“ ever, according to the decree of the council of Lyons, that they  
“ do not alienate the houses, possessions, or funds, which they  
“ actually possess. It shall be lawful to unite in one or more  
“ houses, the number of individuals that remain; nor shall others  
“ be substituted in the room of those who may die; so that the  
“ houses, which become vacant, may be converted to such pious  
“ uses as the circumstances of time and place shall require, in  
“ conformity to the holy canons, and the intention of the founders,  
“ so as may best promote the divine worship, the salvation of  
“ souls, and the public good. And to this end a member of the  
“ regular clergy, recommendable for his prudence and sound  
“ morals, shall be chosen to preside over and govern the said  
“ houses; so that the name of the company shall be, and is, for  
“ ever extinguished and suppressed.

“ In like manner we declare, that in this general suppression of  
“ the company shall be comprehended the individuals thereof  
“ in all the provinces from whence they have already been expel-  
“ led; and to this effect our will is, that the said individuals, even  
“ though they have been promoted to holy orders, be *ipso facto*  
“ reduced to the state of secular priests and clerks, and remain in  
“ absolute subjection to the ordinary of the diocese, supposing  
“ always that they are not entered into any other regular order.

“ If among the subjects heretofore of the company of Jesus, but  
“ who shall become secular priests or clerks, the ordinaries shall  
“ find any qualified by their virtues, learning, and purity of morals,  
“ they may as they see fit, grant or refuse them the power of con-  
“ fessing and preaching; but none of them shall exercise the said  
“ holy function without a permission in writing; nor shall the  
“ bishops or ordinaries grant such permission to such of the



“ society, who shall remain in the colleges or houses heretofore  
 “ belonging to the society, to whom we expressly and for ever  
 “ prohibit the administration of the sacrament of penance, and the  
 “ function of preaching; as Gregory X. did prohibit it in the  
 “ council already cited. And we leave it to the consciences of  
 “ the bishops to see that this last article be strictly observed;  
 “ exhorting them to have before their eyes the severe account  
 “ which they must render to God of the flock committed to their  
 “ charge; and the tremendous judgment, with which the great  
 “ Judge of the living and the dead doth threaten those who are in-  
 “ vested with so high a character.

“ Farther we will, that if any of those who have heretofore  
 “ professed the institute of the company shall be desirous of  
 “ dedicating themselves to the instruction of youth in any college  
 “ or school, care be taken that they have no part in the govern-  
 “ ment or direction of the same, and that the liberty of teaching  
 “ be granted to such only whose labours promise a happy issue,  
 “ and who shall shew themselves averse to all spirit of dispute,  
 “ and untainted with any doctrines, which may occasion or stir  
 “ up frivolous and dangerous quarrels. In a word, the faculty of  
 “ teaching youth shall neither be granted nor preserved but to  
 “ those who seem inclined to maintain peace in the schools, and  
 “ tranquillity in the world.

“ Our intention and pleasure is, that the dispositions which we  
 “ have thus made known for the suppression of this society, shall  
 “ be extended to the members thereof employed in missions,  
 “ reserving to ourselves the right of fixing upon such methods as  
 “ to us shall appear most sure and convenient for the conversion  
 “ of infidels, and the conciliation of controverted points.

“ All and singular the privileges and statutes of the said company  
 “ being thus annulled and entirely abrogated, we declare, that as  
 “ soon as the individuals thereof shall have quitted their houses  
 “ and colleges, and taken the habit of secular clerks, they shall  
 “ be qualified to obtain, in conformity to the decrees of the holy  
 “ canons and apostolic constitutions, cures, benefices without  
 “ cure, offices, charges, dignities, and all employments whatever,  
 “ which they could not obtain so long as they were members of  
 “ the said society, according to the will of Gregory XIII. of  
 “ blessed memory, expressed in his bull, bearing date Sept. 10,  
 “ 1548, which brief begins with these words, ‘*Satis superque,*’ &c.  
 “ Likewise we grant them the power, which they had not before,  
 “ of receiving alms for the celebration of the mass, and the full

“ enjoyment of all the graces and favours from which they were  
 “ heretofore precluded, as regular clerks of the company of Jesus.

“ We likewise abrogate all the prerogatives which had been  
 “ granted them by their general and other superiors, in virtue of  
 “ the privileges obtained from the sovereign Pontiffs, and by which  
 “ they were permitted to read heretical and impious books pro-  
 “ scribed by the holy see; likewise the power they enjoyed of not  
 “ observing the stated fasts, and of eating flesh on fast days; like-  
 “ wise the faculty of reciting the prayers called the canonical  
 “ hours, and all other like privileges, our firm intention being,  
 “ that they do conform themselves in all things to the manner of  
 “ living of the secular priests, and to the general rules of the  
 “ church.

“ Farther, we do ordain, that after the publication of this our  
 “ letter, no person do presume to suspend the execution thereof,  
 “ under colour, title, or pretence of any action, appeal, relief,  
 “ explanation of doubts which may arise, or any other pretext  
 “ whatever, foreseen or not foreseen. Our will and meaning is,  
 “ that the suppression and destruction of the said society, and of  
 “ all its parts, shall have an immediate and instantaneous effect,  
 “ in the manner here above set forth: and that under pain of the  
 “ greater excommunication, to be immediately incurred by who-  
 “ soever shall presume to create the least impediment, or obstacle,  
 “ or delay, in the execution of this our will: the said excommu-  
 “ nication not to be taken off but by ourselves, or our successors,  
 “ the Roman Pontiffs.

“ Farther, we ordain and command, by virtue of the holy obe-  
 “ dience, to all and every ecclesiastical person, regular and secular,  
 “ of whatever rank, dignity, and condition, and especially those  
 “ who have been heretofore of the said company, that no one of  
 “ them do carry their audacity so far as to impugn, combat, or  
 “ even write or speak about the said suppression, or the reasons  
 “ and motives of it, or about the institute of the company, its form  
 “ of government, or other circumstance thereto relating, without  
 “ an express permission from the Roman Pontiff, and that under  
 “ the same pain of excommunication.

“ We forbid all and every one to offend any person whatever on  
 “ account of the said suppression, and especially those who have  
 “ been members of the said society, or to make use of any injuri-  
 “ ous, malevolent, reproachful, or contemptuous language towards  
 “ them, whether verbally or by writing.

“ We exhort all the Christian princes to exert all that force,

“ authority, and power which God has given them for the defence  
 “ of the holy Roman church, so that in consequence of the respect  
 “ and veneration which they owe to the apostolic see, things may  
 “ be so ordered, that these our letters have their full effect, and  
 “ that they attentively heeding all the articles therein contained,  
 “ do publish such ordonnances and regulations, as may prevent  
 “ all excesses, disputes, and dissensions among the faithful,  
 “ whilst they carry this our will into execution.

“ Finally, we exhort all Christians, and entreat them by the  
 “ bowels of our Saviour Jesus Christ, to remember that we have  
 “ all one Master, who is in heaven, one Saviour, who has pur-  
 “ chased us by his blood; that we have all been again born in the  
 “ water of baptism, through the word of eternal life; that we have  
 “ all been declared sons of God, and co-heirs with Jesus Christ;  
 “ all fed with the same bread of the Catholic doctrine, and of the  
 “ divine word; that we are all one body in Jesus Christ, of which  
 “ we are members; consequently it is absolutely necessary, that  
 “ united by the common bond of charity, they should live in  
 “ peace with all men, and consider it as their first duty to love  
 “ one another, remembering that he who loveth his neighbour  
 “ fulfilleth the law; avoiding studiously all occasion of scandal,  
 “ enmity, division, and such like evils, which were invented and  
 “ promoted by the ancient enemy of mankind, in order to disturb  
 “ the church of God, and prevent the eternal happiness of the  
 “ faithful, under the false title of schools, opinions, and even of  
 “ the perfection of Christianity. On the contrary, every one  
 “ should exert his utmost endeavours to acquire that true and  
 “ sincere wisdom of which St. James speaks in his canonical  
 “ epistle, ch. iii. v. 13.

“ Farther, our will and pleasure is, that though the superiors  
 “ and other members of the society, and others interested therein,  
 “ have not consented to this disposition, have not been cited, or  
 “ heard, still it shall not at any time be allowed them to make any  
 “ observations on our present letter, to attack or invalidate it, to  
 “ demand a farther examination of it, to appeal from it, to make  
 “ it a matter of dispute, to reduce it to the terms of law, to pro-  
 “ ceed against it by the means of *restitutionis ad integrum*, to open  
 “ their mouth against it, to reduce it *ad viam et terminos juris*; or,  
 “ in short, to impugn it by any way whatever, of right or fact,  
 “ favour or justice: and even though these means may be granted  
 “ them, and though they should have obtained them, still they  
 “ may not make use of them in court, or out of court; nor shall

“ they plead any flaw, subreption, obreption, nullity, or invalidity,  
 “ in this letter, or any other plea, how great, unforeseen, or sub-  
 “ stantial it may be, nor the neglect of any form in the above pro-  
 “ ceedings, or in any part thereof, nor the neglect of any point  
 “ founded on any law or custom, and comprised in the body of  
 “ laws, nor even the plea of *enormis enormissimæ et totalis læsionis*,  
 “ nor, in short, any pretext or motive, however just, reasonable, or  
 “ privileged, not even though the omission of such form or point  
 “ should be of such a nature as, without the same being expressly  
 “ guarded against, would render every other act invalid. For all  
 “ this, notwithstanding, our will and pleasure is, that these our  
 “ letters should for ever and to all eternity be valid, permanent,  
 “ and efficacious, have and obtain their full force and effect, and  
 “ be inviolably observed by all and every to whom they do or  
 “ may concern now or hereafter, in any manner whatever.

“ In like manner, and not otherwise, we ordain, that all the  
 “ matters here above specified, and every of them, shall be carried  
 “ into execution by the ordinary judge and delegate, whether by  
 “ the auditor, cardinal, legate *à latere*, nuncio, or any other person  
 “ who has or ought to have authority or jurisdiction in any matter  
 “ or suits, taking from all and every of them all power of inter-  
 “ preting these our letters. And this to be executed, notwith-  
 “ standing all constitutions, privileges, apostolic commands, &c.  
 “ &c. &c. And though to render the abolition of these privileges  
 “ legal they should have been cited word for word, and not com-  
 “ prised only in general clauses, yet for this time, and of our  
 “ special motion, we do derogate from this usage and custom,  
 “ declaring, that all the tenor of the said privileges is, and is to be  
 “ supposed, as fully expressed and abrogated as if they were  
 “ cited word for word, and as if the usual form had been observed.

“ Lastly, our will and pleasure is, that to all copies of the  
 “ present brief, signed by a notary public, and sealed by some  
 “ dignitary of the church, the same force and credit shall be  
 “ given as to this original.

“ Given at Rome, at St. Mary the Greater, under  
 “ the seal of the Fisherman, the 21st day of  
 “ July, 1773, in the fifth year of our Pontificate.”





